

**Up against the squeeze:
Measures to help CBC/Radio-Canada meet its mandate**

Canadian Media Guild

Submission in response to
BNC CRTC 2011-379-3

October 5, 2012

1. The Canadian Media Guild (CMG) is a union that represents more than 5,000 CBC/Radio-Canada employees and freelancers outside Quebec and the City of Moncton. Our members are on-air hosts and anchors, reporters, videographers, producers, sound and lighting technicians, media librarians, IT and finance specialists, and freelance contributors. As employees on the frontlines, we have a unique perspective on public broadcasting in Canada.
2. We are pleased to participate in this public process and we strongly support the renewal of CBC/Radio-Canada's broadcast licences. We request to appear at the public hearing in order to comment on any additional information that becomes available by that time.

Executive Summary

3. It is impossible to consider the renewal of the CBC¹'s broadcast licences without looking at the state of the Canadian broadcast industry and the insecurity of funding that is provided for public interest programming and services.
4. The CBC plays a fundamental role in Canadian broadcasting, in the promotion and development of local and national talent, and in its major contribution to Canada's cultural life. It is the most important cultural engine in the country. As a public broadcaster, ideally the CBC should be funded adequately to fulfill the myriad of programming the *Broadcasting Act* mandates it to deliver. Unfortunately, this is not the case. To make matters worse, after the recent mergers and acquisitions, the CBC now finds itself squeezed from all sides of an industry that Carleton University Professor Dwayne Winseck points out is highly concentrated by global standards and more than twice as concentrated as in the US².
5. The risks of this situation to the CBC's ability to meet its current programming objectives and its mandate are enormous. The situation begs the question: What's the sense of the licence without the wherewithal to get the job done?
6. Because of these circumstances, we call on the CRTC to exercise its power and influence to ensure that the country's national public broadcaster can stop the bleeding and stabilize itself during the next licence period.
7. We make the following recommendations to the Commission in this proceeding:

¹ Hereafter CBC will be used to refer to CBC/Radio-Canada unless otherwise noted.

² <http://www.theglobeandmail.com/technology/digital-culture/canada-in-the-minority-on-vertical-integration-ubb/article624462/>

- Renew CBC/Radio-Canada’s broadcast licences
- Establish a fund from approximately 0.75% of gross BDU revenues for incremental local and regional TV programming by public, provincial and community broadcasters
- Guarantee mandatory carriage of CBC News Network in French-language markets and Réseau de l’information in English-language markets
- Require the CBC to report to the Commission on a plan and implementation to better reflect the “multicultural and multiracial nature of Canada.”
- Undertake or commission systematic research on the impact of the loss of local news and other programming on the communities that lose it.

8. **CBC/Radio-Canada: a gift Canadians give to each other**

“What makes me proud, as a journalist in particular, is that no one has ever picked up the phone and said to me ‘don’t do that’, ‘go easy on that’, or don’t go down that road.’ I am fiercely proud of that at the CBC. (...) It’s about the merit of the story, it’s not about who are we likely to offend, or which sponsor is going to be unhappy with us.”

Adrienne Arsenault, CBC reporter and CMG member, at the CBC’s Annual Public Meeting, September 2012

9. CBC is a respected national institution that serves Canadians in a multitude of ways in every corner of the country. The CBC is more than a television network or a radio service. It is mandated by the *Broadcasting Act* (3(1)m), through its programming to:
- (i) Be predominantly and distinctively Canadian,
 - (ii) Reflect Canada and its regions to national and regional audiences, while serving the special needs of those regions,
 - (iii) Actively contribute to the flow and exchange of cultural expression,
 - (iv) Be in English and in French, reflecting the different needs and circumstances of English and French linguistic minorities,
 - (v) Strive to be of equivalent quality in English and in French,
 - (vi) Contribute to shared national consciousness and identity,
 - (vii) Be made available throughout Canada by the most appropriate and efficient means and as resources become available for the purpose, and
 - (viii) Reflect the multicultural and multiracial nature of Canada.
10. For seventy-five years, the CBC has been central to innovation in the Canadian broadcasting system. In terms of distribution, it has been a pioneer in embracing and

developing new media technologies and markets, on the forefront of both AM and FM radio, television, microwave and satellite distribution, direct to home satellite service, and digitization. Although new media technologies are not explicitly mentioned in the *Broadcast Act*, the CBC has interpreted its mandate “as technologically neutral or platform agnostic” and continued this pioneering role with delivering web based services³. The CBC has also been the mainstay for Canadian programming, providing a range of relatively popular distinctively Canadian programs in the face of reluctance for this task on the part of the private sector. From news to drama to sports to comedy, and more recently with on-line content, the CBC has been a program pioneer in almost all electronic media genres.

11. Even after years of funding cuts, identity crises, political attacks and active discrediting campaigns by private media companies, including Quebecor⁴ and the now-bankrupt Canwest⁵ for their own competitive purposes, the public broadcaster is considered among Canada’s top ten “influential brands” according to a November 2011 poll conducted by Ipsos Reid. A poll commissioned by Friends of Canadian Broadcasting that same month indicated that 78% of Canadians believe the CBC is doing a good job of fulfilling its mandate to “inform, enlighten and entertain” Canadians.
12. It is fair to say that the vast majority of Canadians see a future for CBC. Since February, tens of thousands of people have participated in the Reimagine CBC project⁶, a citizen-driven initiative to involve Canadians in a public discussion to strengthen the future of public media. Participants proposed and ranked ideas; an online survey based on those ideas was launched last spring. As of the end of September, nearly 10,000 people have taken the survey. Most of the discussion has occurred online; events were held in April in living rooms, neighbourhoods and towns across the country and an event to launch the official report is planned for Toronto in late October.

“CBC has taught me so much, from both radio and television programming. When I hear of an interesting author, it is thanks to Eleanor Wachtel or Sheila Rogers. When I find a new singer, band (usually Canadian), or a piece of music that soothes or awakens my soul, it is thanks to Tom(s), Julie, Molly, Peter, Andrew(s) or Rich (CBC2). Passionate Eye, Quirks and Quarks, The Fifth Estate, The Current, As It Happens, Spark, Strombo, Q – each and every one educate and

³<http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=3297009&Mode=1&Parl=39&Ses=2&Language=E>

⁴ See the Sun News series “Down the drain”

⁵ The former “CBC Watch” series.

⁶ Visit <http://www.reimaginecbc.ca/about> .

encourage discussion and share information that I would not find anywhere else. And then there are the laughs...Rick Mercer, The Debaters, 22 Minutes, access to Comedy Festivals. I cannot forget DNTO which I never miss thanks To Sook Yin Lee. What I have learned and where I have learned it....thank you CBC.”
(Online post from a Reimagine CBC participant, May 2012)

“Radio-Canada doit demeurer le rempart contre la peur, la propagande et les menaces. Radio-Canada constitue notre meilleure police d'assurance pour assurer le maintien de la démocratie au Canada.” (Online post from a Réinventons Radio-Canada participant, February 2012)

13. The **top three priorities for public media that have emerged from the Reimagine CBC** project are:

- informed and in-depth reporting;
- uniquely Canadian content;
- public watchdog over powerful interests.

14. Throughout the current licence term, our members have been on the frontlines, serving Canadians with programming they could not get any other way: local and regional French-language programming outside of Quebec; programming in eight different Aboriginal languages as well as daily TV news in the North; prime-time Canadian current affairs on television; commercial-free radio that explores the major social, political and cultural issues of the day.

15. The importance of CBC’s local/regional presence was underscored in the Commission’s Decision on the public broadcaster’s previous licence renewal:

“Providing a true reflection of Canada, both regionally and nationally, is at the core of the CBC’s mandate. If Canada’s many voices and faces are to be represented on the public broadcasting service, the CBC must have a strong presence in all parts of the country and must be committed to local talent. If the CBC is more attentive to its activities and audiences across Canada, if it gives them greater opportunity to express themselves on the airwaves and to take part in decisions that affect them, the Corporation will be in a better position to reflect and enrich the lives of Canadians.” (CRTC 2000-1)

16. While CBC’s local programming suffered a long decline between 1991 and 2009 with budget and programming cuts, recent years have seen a renewed commitment to local and regional programming on all platforms that is emphasized in the CBC’s strategic plan

2015 “Every one, every way.” CBC is the national broadcaster that has made the most effective use of the recently cancelled Local Program Improvement Fund (LPIF – see reports filed for CRTC 2011-788), supporting a diversity of voices in smaller cities and towns, minority official language programming across the country, and daily news in the North.

17. **CBC spends as much on Canadian TV programming as all of the private broadcasters combined**⁷ and is effectively supporting and promoting Canadian musicians through radio and digital programming, notably the new digital streaming service CBC Music. CBC also operates the only TV production studio east of Montreal, providing a production hub that nurtures the industry in the Maritimes. The studio opened in 1954 and was the home of *Don Messer’s Jubilee* from 1956 to 1969; it is now the home of *This Hour Has 22 Minutes* and is also used for independent productions.

18. **Plus ça change...**

“The Commission is very aware of the funding constraints CBC faces. For this reason it has taken care to limit the number of conditions of licence and not to impose unreasonable expectations.”

19. The quote above could have come from a document published in 2012. In fact, it comes from the Decision to renew CBC and Radio-Canada television licences in 1987 (CRTC 87-140). Shrinking public funding has been a reality at CBC since the 1980s, creating difficult choices that often strain against CBC’s public service mandate. This is perhaps the one constant which CBC and its audiences – the Canadian public – have faced.

20. The last three decades have been characterized by change that affects every aspect of our society, not least our public broadcaster. Much is made of technological and market changes in the media industry itself, which are obviously central factors with which CBC and every broadcaster have had to contend.

21. As a public broadcaster funded directly by Parliament, the CBC is also affected by transformations since the 1980s in the perceived and actual role of government and public service under a project known as “new public management.”⁸ It is now common to define Canadians’ interests primarily in terms of our identities as consumers and taxpayers, overshadowing our identities as human beings and citizens. This creates a significant tension for a public broadcaster whose very purpose and coming-into-

⁷ Source: <http://cbc.radio-canada.ca/en/media-centre/2011/11/28/>

⁸ See Dwivedi, O.P. & Gow, James Iain, *From bureaucracy to public management: the administrative culture in the Government of Canada*, Peterborough: 1999, Broadview Press.

existence was defined in another era and revolves around feeding our human and citizenship needs. It also creates a tension for the Commission, which – especially in recent years – has become the primary mediator among the diverse, and sometimes divergent, demands of the CBC and our broadcast system.

22. **Insecure funding**

23. In concrete terms for the CBC, the political changes have meant: declining funding that is also more unstable, evaluations of performance that focus on ‘value for money,’ the overt molding of the CBC into a perennial political football.
24. A 2011 Nordicity study found that, at \$34 per capita per year, Canada ranked 16th out of 18 industrialized countries in terms of spending on public broadcasting⁹. Among those countries, the average was \$87. Only the U.S. and New Zealand are worse funders. After the 2012 budget cut, the CBC calculates per capita annual funding at \$28.60. The Nordicity study also found that between 1991 and 2009 federal support for the CBC increased by 8%, much less than the rate of inflation. Over the same period, total federal government spending increased by 83% (excluding defence and debt payments).
25. The declining and insecure public funding has also resulted in the unfortunate perception that there is more political influence and interference.
26. We believe all of these factors together have an impact on how CBC makes decisions about resource allocation and programming. For example, where even a decade ago it was CBC policy to reach directly as many Canadian households as possible, it is now acceptable for CBC to focus its TV transmission infrastructure on the main “markets” that reach 80% of Canadians. It is no longer a policy goal to provide all Canadians with free access to their public television. A drive for efficiency has also led to the integration of radio and TV newsrooms, which leaves a mark on news programming.
27. The need to compensate for a lack of adequate and stable federal funding also means that CBC is dependent on commercial revenues to meet the expectations of Canadians, a reality that was underscored during the economic and advertising downturn in 2008-9, when CBC reduced resources in several local stations. This also has an impact on programming and promotions, focusing efforts where additional revenues can be made: on television and digital platforms.

⁹ Source: <http://www.nordicity.com/reports/Nordicity%20Analysis-Public%20Broadcasting%20%282011-04%29.pdf>

28. For Canadians, our relationship with the CBC has sometimes shifted from one of citizens with a national cultural institution to media consumers with a major national broadcaster that we happen to fund through taxes.

29. **Vertical integration**

30. Changes in the industry more broadly, which have been significant over the last licence term, must also be examined in terms of how they affect CBC. First, the majority of what Canadians see on their screens and hear on their radios is controlled by one of four major private vertically-integrated national conglomerates. From the point of view of content and diversity, CBC's distinct public service role is therefore as important as ever. Second, from the point of view of distribution, Canadians are now largely beholden to those same companies for access to programming – including CBC programming – via cable, satellite, internet and mobile services. The problem is that the major distribution companies – Shaw, Rogers, Bell, Quebecor – also own content and programming services that compete directly with CBC.

31. Canadians should continue to have access to CBC's two all-news TV channels, CBC NN and RDI as part of a basic cable package. The two news stations provide programming that Canadians cannot find anywhere else. One-third of RDI's programming originates from stations across the country outside Quebec. No other French-language all-news station provides this degree of regional programming to French-language viewers outside Quebec. CBCNN provides public affairs journalism and long-form news reporting that private competitors do not. It is also the most popular news channel for Canadian viewers because of the quality of its programming. Without mandatory carriage in minority language markets, however, it is clear that BDUs will make them less available to viewers. This will result in lower revenue and, very likely, programming cuts that will undermine the exceptional nature of the services.

32. **RECOMMENDATION: It is therefore essential that the Commission continue 9(1)h status for CBC News Network in French-language markets and to Réseau de l'information in English language markets. Without mandatory carriage, those services are very likely to become much less accessible and affordable to Canadian viewers.**

33. It is also essential that the Commission play an active role in ensuring that Canadians have full and affordable access to the full range of their public broadcaster's programming via Broadcast Distribution Undertakings (BDUs).

34. The CBC's financial situation is not encouraging in terms of the public broadcaster's ability to meet its mandate and Canadians' expectations of it in the next licence term. By 2015, **the loss of revenues from the cut to the parliamentary appropriation and the cancellation of the Local Program Improvement Fund**, both announced this year and to be phased in over two to three years, **will total approximately \$162 million** or some 10% of its current revenues from all sources.
35. The Corporation has not yet announced how it plans to deal with the phase-out of the LPIF, which will begin to have an effect next year, except to say the focus on local and regional in the 2015 plan remains.
36. The full effects of the federal budget cuts on CBC programming are being felt this fall. Cuts in the French service are spread across the organization. The English service of CBC has:
- cancelled current affairs programs on radio (Dispatches) and television (Connect)
 - virtually eliminated in-house documentary production;
 - reduced its annual commissioning of TV programming by 175 hours;
 - closed news bureaus in Africa and Latin America.
37. As a result it is more difficult to find analysis and context of international events on our airwaves.
38. In addition, CBC has scheduled the closure of the 58-year-old Halifax TV studio in 2014. This represents a blow to the wider audiovisual industry in the Atlantic region. **We urge the Commission and the Department of Canadian Heritage to help find ways to keep the studio open and available to the CBC and the wider production community.**
39. Corporate-wide cuts include:
- shutting down 600 analog TV transmitters as of July 31 of this year;
 - eliminating the radio and shortwave broadcasts of Radio-Canada International and reducing staffing levels by 80%;
 - cutting staff across the board;
 - applying to allow commercial messages on Radio 2 and Espace Musique
40. CBC's strategy to deal with the federal budget cuts suggests a shift away from infrastructure and programming that does not generate revenue and a further reliance on commercial revenues, which is both logical and understandable in current context but not desirable from a long-term public policy perspective. The Commission has

commented on this problem in the two previous licence renewal decisions:

“An overriding concern is the continuing need by the Corporation for sufficient funding to fulfill the mandate set out for it by Parliament. Reductions in Parliamentary appropriations, *unless compensated by new revenues not dependent on the sale of airtime*, may lead either to a reduction in breadth, depth or quality of the programming or to an increasing reliance by the CBC on the types of programming designed to attract advertising, forcing it to pursue large audiences for revenue-generating purposes, at the expense of programming more suited to fulfilling its mandate.

Since the 1974 renewal decision, the Commission has continued to be concerned about the influence of advertising on the CBC’s programming.”
(CRTC 94-437, emphasis added.)

41. More recently, in 2000, the Commission stated: “a public broadcaster is expected to take risks; to offer diversity, even controversy, and to venture into new innovative forms of programming. Responding to these objectives requires programming choices that are made with a clear understanding of the CBC’s role and the public interest. Such choices should not be unduly influenced by commercial considerations. These considerations, more often than not, lead the CBC’s services to become similar to, rather than distinct from, the services of commercial broadcasters.” (CRTC 2000-1)
42. CBC has long been creative about finding alternate sources of revenue to compensate for inadequate and declining public funding. As Dr. Philip Savage points out in *International Public Broadcasting Funding Models: An Assessment of Value for the CBC* (appended to this submission), “the CBC is more advanced in studying and in some cases implementing a number of projects to leverage its current assets than other [public service broadcasters]; they have started to maximize marginal revenue increases in many of these areas. The CBC has leveraged its programming onto new pay-for channels either on a program-by-program basis with iTunes or as part of a digital subscription service like Netflix, and is indeed a leader in Canada among all media in this regard. The CBC also has a well-developed series of retail relations and distribution agreements for CD/DVDs and other retail product sales. (...) The leasing of tower space and, to some degree, spectrum sales has been fully considered and in some larger markets is quite successful (e.g. Montréal and Toronto).”

43. Savage goes on to agree with an assessment by the Corporation for Public Broadcasting in the U.S.: for public service broadcasting, there doesn't seem to be anything that can replace an annual appropriation (p. 16).

44. While Canadian Media Guild agrees with this statement and believes that CBC's base parliamentary funding needs to be made adequate and stable, we believe that the Commission can take measures through the regulatory system to help ensure that the objectives of the *Broadcasting Act* are met when it comes to public broadcasting.

45. **The Commission and CBC**

“It is in the terms of the greatest possible variety of human experience, expression and conception that a public broadcasting institution should define, select and organize its programming. The goal should be to maximize, not audience for every program, but the viewers' chances of discovery, understanding, participation and cultural development.” (CRTC, 1974)¹⁰

46. The Commission is responsible for regulating and overseeing Canada's broadcast system and ensuring that the broadcast policy set out in the *Broadcasting Act* is implemented. As the national public broadcaster, the CBC has a significant place in the policy. There is, therefore, a strong element of interdependence between the two institutions when it comes to meeting the objectives of the *Act*.

47. CBC is also a creature of parliament. Over the course of the current licence term, the parliamentary Heritage committee has examined the CBC in two separate studies and made important recommendations for strengthening public broadcasting in Canada by ensuring adequate and stable funding in return for meeting public objectives.¹¹ Both reports identified “new media,” as well as Canadian and local programming as the main priorities for additional public funding. The 2008 report also made reference to the need for greater independence for the CBC from government and recommended the signing of a seven-year memorandum of understanding between the two accompanied by adequate and stable funding. Unfortunately, none of the significant CBC-related recommendations of either of these reports has ever been implemented.

48. If nothing can replace adequate, stable and long-term funding from a public source to ensure that a public broadcaster can fulfill its mandate, the Commission can certainly act to enable certain objectives to be met, in particular the funding of Canadian

¹⁰ Cited in *Decision CRTC 94-437*

¹¹ See “Our cultural sovereignty,” Standing Committee on Canadian Heritage, June 2003; and “CBC/Radio-Canada: defining distinctiveness in the changing media landscape,” Standing Committee on Canadian Heritage, February 2008.

programming, including local, and programming in the North, as well as programming for Official Language Minority Communities. These are all areas in which CBC excels.

49. **Local programming**

50. Much evidence has been placed on the record at recent Commission proceedings about the importance of local programming in meeting the objectives of the *Broadcasting Act*. However, there is a dearth of systematic research on the impact of a loss of local programming and diversity of voices on the communities that lose it.

51. We have appended to this submission a study conducted by York University Professor Anne MacLennan on the sharp reduction of Radio-Canada's radio programming in Windsor in 2009. The 2006 "Final Report on the Canadian News Media" of the Standing Senate Committee on Transport and Communications cited "fragmentary" evidence from Carleton University Professor Christopher Waddell on the loss of national reporting from a local perspective and the possible impacts on voter turnout in federal elections. More research on this topic is necessary to assess to what extent and how changes in the broadcasting system and the reduction in the availability of local programming over the last two decades have affected its capacity to "safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada" as set out in the *Broadcasting Act*.

52. **RECOMMENDATION:** that the Commission undertake or commission research on the impact of the loss of local news and other programming in terms of the objectives of the *Broadcasting Act*, specifically in relation to the imperatives to "safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada" and "encourage the development of Canadian expression by providing a wide range of programming that reflects Canadian attitudes, opinions, ideas, values and creativity, by displaying Canadian talent in entertainment programming and by offering information and analysis concerning Canada and other countries from a Canadian point of view."

53. The Commission has nonetheless recognized the evidence on the importance of local programming and the LPIF is a good example of a recent Commission measure to improve local TV programming in smaller communities. In the CMG intervention on the LPIF review (CRTC 2011-788), we noted:

"Fundamentally, the LPIF addresses a market failure – that of ensuring a diversity of professional media voices in a small market and, in many cases, a

single source of professional local TV programming. [I]t has also allowed for additional French-language programming outside Quebec.

In addition, the LPIF supports programming produced outside the four integrated companies - Bell/CTV; Shaw/Global; Rogers/Citytv; and Quebecor/TVA – and therefore a diversity of voices across the country and one stop-gap against the threats posed by vertical integration.”

54. In *Broadcasting Regulatory Policy CRTC 2012-385*, the Commission stated that the LPIF “has successfully contributed to maintaining and in several cases increasing local programming...” However, the Commission determined that the LPIF was too costly for consumers and was counterproductive to innovation in the broadcasting sector.
55. In her dissenting opinion, Commissioner Louise Poirier points out that “of the several thousand interventions received, only about 30 opposed the LPIF, and all consumers who appeared at the hearing were in support of it. No evidence was provided to demonstrate that the LPIF was no longer necessary to guarantee that consumers in small markets would have access to local programming and news of equivalent quality to that found in large markets.”
56. The LPIF was funded through 1.5% of gross BDU revenues, which reached \$8.6 billion in 2011, an increase of 5.8% over 2010.¹² By comparison, conventional broadcasting revenues were barely more than a third of that, with private broadcasters generating \$2.7 billion and CBC generating \$368 million.
57. When it was first contemplated in 2008, only two major BDUs, Rogers and Videotron/Quebecor, were part of companies that controlled a network of local TV stations: the City-TV and TVA networks respectively. The majority of stations in smaller markets, however, were owned by companies not affiliated with a BDU, including independents, CBC/Radio-Canada stations, CTV and Global. Since that time, major shifts in the industry mean that all of the private networks are now within companies that also own a major BDU. Over the years, these mergers and acquisitions have been approved on the basis that having access to deeper corporate pockets will allow them to better meet the objectives of the *Broadcasting Act*. It is not clear that this gamble will pay off for local programming.
58. The structure of the LPIF did lead to the majority of the Fund being passed around within those vertically-integrated companies but it also at least attempted to require that

¹² CRTC *Communications Monitoring Report 2012*

the money be spent on local programming to serve the public in smaller communities rather than simply to increase profits.

59. In recent years, the Commission has opened the door to discussing a regulatory intervention specific to CBC during the current licence renewal proceeding. One such instance is contained in *Broadcasting Regulatory Policy CRTC 2010-167*, in which the Commission sets out a “market-based” regime for private conventional broadcasters to negotiate a value for their signal with BDUs. In that policy, the Commission notes that the market-based solution would be inappropriate for CBC, given its public mandate and its inability to pull its signal if a negotiation with a BDU for signal compensation was not successful. Instead, the Commission stated that “The distinctive situation and needs of the CBC will be addressed in the context of the public broadcaster's next licence renewal.”
60. A second instance is in *Broadcasting Regulatory Policy CRTC 2012-385*, the decision to phase out the LPIF. The Commission states: “With respect to the CBC and its ongoing service to [Official Language Minority Communities], the Commission will discuss the matter with the CBC at its upcoming licence renewal.”
61. We submit that the time has come for the Commission to support the CBC in meeting objectives of the *Act* that could never be met through the market, specifically: providing a diversity of editorial/programming voices in smaller and medium-sized communities; daily news and other programming in the North; local minority official language programming.
62. At a conference titled “Public journalism strategies,” held in Montreal in April 2012, the Canadian Media Guild collaborated on a paper and presentation with the Canadian Association of Community TV Users and Stations (CACTUS) on ways that the public and community broadcasting sectors could better collaborate to improve local programming, especially in communities that have lost local media in recent years. The paper, attached as an appendix, recommends a fund be created to promote local media collaboration between CBC/Radio-Canada and the community sector.
63. With the cancelling of the LPIF, the CMG believes that an approach targeted specifically to the national public broadcaster, perhaps in collaboration with provincial and community broadcasters, is needed and possible.

64. **RECOMMENDATION:** that the Commission establish a fund from approximately 0.75% of gross BDU revenues, or approximately \$65 million per year, for public and provincial education broadcasters as well as community licensees to provide incremental local and regional TV programming, based on pre-LPIF averages, with multi-platform elements (e.g. Radio, mobile, web). The new fund could be administered in much the same way as the current LPIF. However, unlike the LPIF, we don't believe the new Fund should be restricted to small markets; it should support innovative programming and especially French-language local/regional programming outside of Quebec, English-language local/regional programming inside Quebec, and all forms of local/regional programming in the North. We also recommend undertaking a public review of the fund after five years as part of the CBC's next licence renewal proceeding.

65. **'Reflecting the multicultural and multiracial nature of Canada'**

66. One of the eight directives for CBC programming contained in the *Broadcasting Act* is to reflect the "multicultural and multiracial nature of Canada." We are troubled to find that discussion of this point is absent from the Commission questions and CBC responses contained in its application for licence renewal.

67. The June 2012 report from the "Roundtable on Cultural Diversity in the Toronto Screen Media Production Industry" (appended to this submission) notes that "the objective of cultural diversity on and off screen in the broadcasting industry is not being vigorously pursued. Despite many 'diversity initiatives' by broadcasters and governmental agencies, progress has been unacceptably slow. While several conferences and symposia have addressed this issue in the past 30 years, it is generally felt that little consistent or meaningful progress has been achieved in the inclusion of visible minorities in front of and behind the camera, especially among senior decision makers in the industry, and among independent producers."

68. Further, "the CRTC responds to advocacy from Canada's media stakeholders. Absent such pressure, the CRTC rarely intervenes. The current regulatory framework regarding cultural diversity centres on ill-defined requirements for employment and on-screen diversity reporting among broadcasters, with practically no accountability and few remedial measures aimed at compliance. The CRTC is not seen to behave proactively in the diversity issue area, this increases tensions."

69. The Commission and the CBC can and should be leaders in this area; we believe one way to make inroads on this are for the Commission to have clear expectations of CBC. The Roundtable report includes a recommendation specific to the CBC, which we endorse: to supplement the Corporation's existing Diversity policy with specific targets and transparent implementation practices.
70. In the current proceeding, CBC has reported on on-air representation of the four designated groups defined in Employment Equity legislation: women, visible minorities, Aboriginal people and people with disabilities. The Corporation does not report on the people in decision-making positions behind the camera, the "gate-keepers" referred to in the Roundtable report discussed above.
71. Even so, the rate of on-air representation of so-called visible minorities – 8% of all on-air CBC-TV employees in 2011¹³ – echoes a figure from 1987 in which "visible minorities represented 8% of all reporters and interviewees in newscasts, 8% of all characters in drama, and 6% of all on-air staff and guests in all programming other than news and drama."¹⁴ At that time, these figures were similar to the percentage of "visible minorities" in the Canadian public. That is certainly no longer true today. In fact, the latest statistics indicate that 16.2% of Canada's population is now identified as a visible minority; that number is expected to jump to 32% by 2031.¹⁵ We note that the figure for Radio-Canada television in 2011 is even much lower at 2%. The figures for radio are not any more encouraging, with CBC reporting 4.6% and Radio-Canada 6%.
72. On-air representation of First Nations, Métis and Inuit people on CBC-TV and Radio is more reflective of the population (3.8% and 6.5% respectively), however there is no information on the presence of Aboriginal people in decision-making roles about programming. This needs to be examined in the same way as for "visible minorities" with a view to ensuring that CBC provides a true and comprehensive reflection of Aboriginal cultures in mainstream broadcasting. On-air representation of Aboriginal people on the TV and radio services of Radio-Canada is virtually non-existent (0.3% and 1% respectively) and needs to be examined urgently.
73. **RECOMMENDATION:** that the CBC be required to report to the Commission for the public record on a plan and its implementation to better reflect the "multicultural and multiracial nature of Canada." The reporting should include

¹³ The Radio-Canada TV figure is substantially lower, at 2%.

¹⁴ From a 1992 study cited in *Decision CRTC 94-437*.

¹⁵ See <http://www.catalyst.org/publication/243/visible-minorities>

not only the proportion of visible minorities and Aboriginal people on air, but also in off-air programming and decision-making roles.

74. In addition, we urge the Commission to schedule a review of the cultural diversity policy and to work with stakeholders ahead of time to identify and commission research on multicultural and multiracial reflection in the programming available to Canadians.

75. **Conclusion**

76. Despite the many challenges, we are optimistic about the future of public broadcasting in Canada and its capacity to meet the changing needs of Canadians. Our recommendations, intended to bolster this capacity, are:

- Renew CBC/Radio-Canada's broadcast licences
- Establish a fund from approximately 0.75% of gross BDU revenues for incremental local and regional TV programming by public, provincial and community broadcasters
- Guarantee mandatory carriage of CBC News Network in French-language markets and Réseau de l'information in English-language markets
- Require the CBC to report to the Commission on a plan and implementation to better reflect the "multicultural and multiracial nature of Canada."
- Undertake or commission systematic research on the impact of the loss of local news and other programming on the communities that lose it.

77. We will be pleased to participate in the public hearing.

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LIST OF APPENDICES

CMG submission on
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Appendix 1:

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Appendix 1:

*International Public Broadcasting Funding Models: An Assessment of Value
for the CBC*

**International Public Broadcasting Funding Models:
An Assessment of Value for the CBC**

Study produced for the Canadian Media Guild (CMG)
For the 2012 CRTC Licence Renewal Hearings of the CBC

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Dr. Philip Savage
Department of Communication Studies and Multimedia
McMaster University
Hamilton, Ontario

Executive Summary

An analysis of the major funding approaches among a range of public service broadcasters was undertaken based on recent academic and policy sources. Eight main types of traditional and emerging funding models at play in various international PSBs are assessed and discussed relative to the Canadian and CBC context:

1. License Fee
2. Direct Grant
3. Advertising
4. Pay Services
5. Program Funds
6. Telecom Tax
7. Donations
8. Other

It is determined that the optimal solution to more secure and flexible funding for the CBC would involve a healthy mix of all types, but that the three most significant and practicable would be:

1. Direct Grant increase (high impact/moderate risk)
2. Program Funds increase (moderate impact/very low risk)
3. Additional licensed or non-licensed pay services (moderate impact/low risk)

The analysis concludes that those PSBs most successful around the world at generating additional revenues (to support growing mandate demands) have done so on the basis of political and economic circumstances in which the overall funding for PSB has, at its base, a majority of stable, multi-year public funding (either through license fee and/or legislative grant). The lessons worldwide suggest that there are significant risks in forcing PSBs to be reliant on alternative sources primarily, including paradoxically their inability to leverage additional revenues.

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1. Introduction

The goal of this report is to provide an overview and assessment of international public broadcasting funding models to provide a wider perspective on the political-economic context of public service broadcasting developments at the time of the Fall 2012 CBC/Radio-Canada license renewals.

The funding challenges facing public service broadcasters (PSBs) worldwide are significant. Like private media they face increased commercialization and competition, and a need to adapt to increasingly networked digital distribution patterns. They also try to serve audiences who demand involvement in content production, distribution and selection, but are reluctant to pay directly for content. PSBs face added pressures on budgets in light of continuing legislative mandates and increasing policy responsibilities to ensure universal and accessible services to all citizens in all media.

Around the world PSBs continue to carry out their information and cultural roles and remain in most developed and democratic countries at the heart of the national and regional narratives. Australians, British, Germans, South Africans and others value their PSBs, as do Canadians value the varied programming and services of the Canadian Broadcasting Corporation (CBC).

PSBs have also been remarkably adept at experimenting with new funding sources (sometimes more than their commercial counterparts). The CBC in fact stands out as particularly skilled at exploring alternative sources of funding and should be encouraged to consider new options and variants of models worldwide.

2. Methodology

Using bibliographic and secondary data analysis, a comprehensive survey of existing, proposed and new funding models for public broadcasting and public service media is provided.

The sample of funding models draws on the full array of mature public broadcasting systems (e.g. ARD/ZDF in Germany, NHK in Japan, DR in Denmark), but with particular emphasis on models in countries with similar cultural and political backgrounds (e.g. ABC Australia, France Télévisions, the BBC in Britain).

One of the key data bases for analysis is the archive of the international policy scholarly group RIPE: Revisionary Interpretations of the Public Enterprise (RIPE, 2012). This Finnish-based international association, of which the author is an organizing member, maintains electronic archives, which include over ten years of the leading public policy research and scholarship on PSB funding models.

3. CBC Current Funding

CBC’s annual revenues according to its most recent 2010-11 annual report are \$1,810 million, of which an annual Parliamentary grant comprise \$1,160 or, as Table 1 shows, approximately 65% of total funding (CBC, 2012). A number of other non-government funding sources provide just over a third of CBC revenues, with various forms of advertising and fees from Pay TV and Audio services making up 20%. A mixture of funds, indirect tax revenues and other sources make up the remaining 5% of revenues.

Table 1: Revenue Sources, CBC v. International PSB

	Source	Budget %	Comparison to International PSBs
1.	License Fee	0%	Below
2.	Direct Grant	~65%	Below
3.	Advertising	~20%	Above
4.	Pay Services	~10%	Average
5.	Program Funds	~2%	Average
6.	Telecom Tax	~2%	Above
7.	Donations	0%	Below/Average
8.	Other	~1%	Below/Average

Source: CBC Annual Report 2010-11; International PSB annual reports.

As a number of authors and research reports have pointed out over the last twenty years, Canada’s level of public funding for national public broadcasting among western countries remains relatively low; at about \$33-34 annually per capita, or as it is sometimes stated, under a dime a day. This is half the level of that in France or Spain, a third of that in the UK, and a fifth of that in countries like Germany, Switzerland and Norway. It remains only higher than that for New Zealand and the USA, among major western democracies (Nordicity, 2011).

As a proportion of total revenues relative to PSBs in other countries generally, the CBC is less dependent on a combination of licensee or direct grant. However its dependence on advertising is above the norm for PSBs internationally. It is average in its dependence on pay services and program funding. Insofar as the CBC has been successful at leveraging program funds and telecom taxes (related in Canada through both CMF and LPIF – see more below), it is average or above average. Most non-North American PSBs do not accept donations (making the CBC average in this regard), but compared to two key North American comparators – PBS and TVO – CBC is below.

4. International Trends in PSB Funding By Source¹

1. License Fee

For a brief period in its early history CBC was funded primarily through license fees, that is, annual payment from individual households to government for the official permission to operate a radio and/or TV receiving set (Peers, 1969). The process of collecting and enforcing license fees in Canada was difficult due to geography, and so was abandoned. In the rest of the world it remains the single most common form of funding PSBs. Sources suggest that half of PSBs in Europe and up to two-thirds in Africa and Asia are so funded. In North and South America the licence fee is rarely used (UNESCO, nd.).

The future of the licence fee remains strong in many European countries and was adopted in a number of Eastern European countries after the fall of the Soviet Union, e.g. Romania and Slovenia. However some post-Soviet countries find fee collection difficult to enforce, e.g. in Poland an estimated 50% of listeners and viewers evade the fee altogether (Iosifidis, 2010).

There appears to be a trend in a number of countries to move from license fee to some form of “ring-fenced” tax, i.e. to designate that the money collected by government goes directly to the PSB or public broadcasting funds; for instance Finland has recently proposed this to support its national PSB (YLE).

Aside from fee evasion, the license fee is also criticized as a non-progressive form of taxation since poor households with radio and TV sets pay as much as extremely wealthy ones, although countries like Germany have exemptions for seniors, the poor or disabled (Iosifidis 2010; RIPE, 2012).

One advantage of a license fee structure is that citizens often feel a direct relationship with the PSB through the reminder of their “annual subscription”. In the case of established and stable PSBs like the BBC, citizens have a sense of pride in direct payment outside the government taxation system. Since license fee rates may be established at arms-length (and often on a multi-year basis), the government is seen to have little power to directly influence (or punish) PSBs due to programming choices or other priorities. This heightens a sense of true public broadcasting “without fear or favour.” As well PSBs are often in the situation of making direct appeals to their individual funders in critical situations of crisis or growth, and with some success.

In Denmark in 2010 the national PSB, Danmarks Radio (DR), proposed a 10% increase to the license fee (and combining all existing radio, black & white and colour-TV fees into one large “Media License Fee”). The \$40 per year increase (more that the entire CBC cost per person per year) was promoted as a crucial way to ensure the continuation and growth of digital and internet delivered content in the Danish language. The hefty increase was accepted after considerable debate and DR promises of accountability to its

¹ Summarized in *Table 2: Recent Iterations of PSB Funding Sources* (see Appendix).

license fee payers. For instance, DR makes a multi-year “public service contract” with the Danish Minister for Culture in which it establishes clear and public obligations for how all license fees and public monies will be spent over a four-year period (Savage, 2009).

2. Direct Grant

The granting of a budget on an annual or multi-year basis to PSBs is less common among mature democracies, with less than half a dozen European countries relying on this form of funding as their main revenue source. Over a decade ago The Netherlands did abolish the license fee (largely on the basis of inefficiency of collecting it) but did at the same time increase the tax base for the government grant to the Dutch PSBs national organizing body, the NPO. However NPO still does receive via government grant the equivalent of just of \$140 per capita, among the highest rate of funding for PSBs in the world, almost five times that of the CBC (Iosifidis, 2010).

In Australia – with its own geographic challenges – license fees continued to be collected up to the mid-1970’s at which point a Labour government shifted to a grant system on the rationale that with radio and TV universally available, it was both more fair and efficient to switch to direct government grants. Funding for public broadcasting in Australia is about 30% per capita higher than that to CBC and is provided on a more stable multi-year basis (Hawkins, 2010).

Nordicity 2011 analysis of multi-year versus annual funding regimes found that among 18 major PSBs, multi-year funding was present in four of the top six PSBs. The level of annual per capita funding was approximately \$100 for multi-year funded PSBs and \$80 for annual grants (Nordicity, 2011). The two strongest and most successful PSBs, the BBC in the UK and Germany’s ZDF/ARD have multi-year funding protocols, but again are based on license fees as opposed to direct grants (Iosifidis, 2010).

A number of PSBs have sought special government grants to help with chronic deficits (due to uncollected licence fees) in either their structural deficits or specifically to provide additional program funding (e.g. Spain and Poland). Over the last ten to fifteen years, a number of European PSBs also received special funding for their digital switchover plans.

For over a decade the CBC had sought and received “one-time” funding specifically to make up for program cuts in the 1990s. As a result the CBC received, up until the previous year, \$60 million (or almost 5% of total grant) each year under the line item: “Additional non-recurring funding for programming initiatives” (CBC 2012). Last year the \$60 million was consolidated with the overall Parliamentary grant but the effects of the latest 2012 federal government budget cuts to the overall grant erase that impact (and indeed reduce it by close to another \$60 million). While there may be a temptation for this or future governments to once again institute a one-time portion of the grant (for specific programming or other purposes of the day) this exposes the PSB to chronic budget crises. This has been the case in countries such as Spain, where long-term budget

planning by the national becomes dysfunctional, with a greater inefficiency in tax dollars. Along with the resistance by Canadian governments to move to five-year budget commitments (though repeatedly proposed in most royal commissions, task force and parliamentary reports in the past forty years), CBC in its current annual form of direct grant is limited in its longer-term planning.

3. Advertising

Before the spread of wide-scale radio and television competition in the 1970's and 1980's, the majority of public broadcasters in Europe and elsewhere did not allow any advertising on their airwaves. The CBC in its early days of radio and then throughout its television history to the present day was the exception rather than the rule.

With competitive liberalization in Europe, many PSBs allowed for some limited advertising on TV services; if not on their main national networks then on subsidiary networks. Currently only the three Nordic countries of Sweden, Norway and Finland have completely commercial-free PSB operations for all television and radio networks. In the UK the BBC remains commercial-free for its two main TV networks and its range of domestic and international radio services, as well as providing a domestic internet service free from advertising and sponsorship. However the successful Channel 4 national network (with an almost 10% viewing share), is set up and maintained as a public-service broadcaster under its own legislation but is completely funded through on-air advertising. Similarly the international BBC.co.uk (one of the most popular news and general information websites in the world) is advertising-supported (Iosifidis, 2010)

Overall the CBC among 27 major PSB organizations worldwide is the 8th most dependent on advertising revenues just above France Télévisions, SBS Australia and the two Belgian services VRT and RTBF, but below the main national TV PSBs in Italy, Ireland and Spain. The most heavily ad-dependent are UK's Channel 4, TVNZ (New Zealand), as well as the USA's NPR and PBS (Nordicity, 2011). Scholars and analysts have noted that while advertising may allow some PSBs certain financial flexibility in regard to occasional reductions to government grants, those PSBs with a higher advertising reliance face additional and significant risks to their stability and legitimacy in the long run (RIPE, 2012).

At different points in time PSBs and their regulators have responded to pressure from over-commercialization of those mixed systems. The Irish national PSB, the RTE, which instituted advertising on its main television network at its start up in 1961, still limited it to 6 minutes of advertising per hour for many years. By the 1990's, as a result of recessionary pressures and pressures to reduce government funding, some of these limits were withdrawn (Iosifidis, 2010).

In 2009, public broadcasting in France was among the first ever to see a reduction in advertising on its television services. Then President Nicolas Sarkozy announced that in order to remove France Télévisions from its 30% dependence on advertising and ensure it would be a true public broadcaster, that all advertising would be removed from the

service (by 2010 no ads allowed in prime time – post 8pm). The lost revenue was to be replaced by a special fund for FT generated by a new tax on internet service providers and mobile phone operators (Kuhn, 2010; more on this below).

It is quite rare for PSBs around the world – even those that have some TV advertising – to allow commercial messages or sponsorships on their radio services. This is the case of even “popular music” services on BBK UK or ABC Australia. Indeed even in the most commercialized of PSB environments in New Zealand, the radio services of Radio New Zealand remain commercial free (Dunleavy, 2010).

The CBC has proposed in its current CRTC license renewal to include commercials and/or sponsorships on its national music networks, Radio2/Espace musique. When a similar move was presented in the previous CBC license renewal hearings (sponsorship message on Radio One and Radio2 in 1999) the CRTC rejected the proposal outright, largely on the basis of fierce listener opposition, but also on the lack of evidence of any considerable increase in revenues to the CBC as a result.² Furthermore, off-the-record agency interviews conducted at that time indicated both a strong negative reaction from existing commercial radio companies (concerned with CBC using its government grants to undercut the market) as well as estimates of relatively low revenues that might result.³

4. Pay Services

A number of PSBs around the world operate subsidiary pay-TV channels (in Canada often referred to as “specialty services”),⁴ which allow them greater flexibility to provide popular or niche programming. They often involve a direct user fee or level of advertising that supplements the PSB main license fee or government grant.

In 2010-11 the CBC’s TV pay services (English-language CBC News Network, Bold and documentary, and French-language RDI and ARTV) generated almost \$150 million, although in fact the two 24-hour news channels, CBC NN and RDI, accounted for almost 90% of those revenues (CBC, 2012).

For the CBC as with some other PSB broadcasters worldwide, pay channels with a regulated subscription price and priority positioning on distribution systems often provide a tertiary but stable revenue source. Monthly subscription rates for CBC NN and RDI were set by CRTC condition of licence at a maximum of \$0.63 and \$1.00/ month,

² “Canadians’ special attachment to CBC radio is due in large part to the sense that it is a unique, non-commercial public service. This was confirmed once again by the strong reaction of interveners against a proposal from the Corporation to broadcast messages from sponsors during some of its radio programs. *The firm and virtually unanimous opposition to this proposal is an important factor in the Commission’s denial of the CBC’s sponsorship proposal*” (Public Notice CRTC 2000-1, par. 37).

³ The research was coordinated by CBC Research and was made available in correspondence to this author, but was never made public at the hearing.

⁴ In a few cases PSB may operate pay or subscription audio services as well. CBC until 2009 operated the popular Galaxie music stream of channels delivered via digital cable and satellite services, which by various estimates accounted for \$4-6 million in annual revenues, eventually selling it to Strategic Digital Group (CBC, 2012).

respectively; they tend not to fluctuate. Although the CBC generates advertising levels of about 20% on these channels above the subscription revenues, approximately 80% of these revenues come in the form of monthly subscriptions and are less subject to recessionary pressures (CBC, 2012).

The BBC was among the most energetic in establishing additional TV channels in the 1990's and 2000's including a 24-hour news channel, two children's channels, a parliamentary channel, and BBC Three and BBC Four. BBC also acquired 50 per cent ownership of ten subscription/advertising-supported "UKTV" channels. Versions of these channels are also made available for overseas subscription (Tunstall, 2010). There has been some criticism of the BBC's use of its dominance as a program supplier and access to stable funding in operating pay channels and generating revenues from them. But the counter argument is that PSBs like the BBC integrate these funds back into their overall budgets which then support indigenous and high quality content production. It also helps politically that increasingly the BBC channels – like the CBC's – work in partnership with independent production companies to produce the bulk of this new "local" programming.

5. Program Funds

Aside from the \$60 million annual programming grant for which the CBC must apply each year ("Additional non-recurring funding for programming initiatives"), the CBC is also able to (and relatively successful at) applying for special television program funds through the Canada Media Fund (CMF; formerly the Canadian Television Fund, CTF).

The CMF has a total annual budget of close to \$335 million (2010/11 estimate), of which the federal government contributes about \$120 million and the various Canadian BDUs (Broadcast Distribution Undertakings – largely cable and satellite distributors) contribute on a regulated basis (5% of subscriber revenues) around \$215 million. In the latest 2011 estimate available to this author, the CBC received just under \$100 million in CMF funding for its largely television program projects, i.e., about two-third to the English-language CBC-TV and one-third to French-language Radio-Canada (CMF, 2010). This means that the CBC as whole was allocated (on a competitive basis) just over a third of total CMF funding available. Historically the CBC has had an envelope of almost 50% of CTF or equivalent funding, due to its very high commitment to a 90%+ Canadian television schedule (and in particular, higher-cost program genres like drama), however more competition has arisen in the past twenty years with the explosion of Canadian specialty and digital services licensed by the CRTC.

Perhaps the best equivalent – and sometimes controversial – international program fund has been New Zealand on Air (NZoA). It was created in the late 1980's during a government fiscal crisis in which the New Zealand government under new broadcasting legislation abolished all direct government funding to the main television PSB and instead directed the new NZoA commission to disburse public funding among all broadcasters – public and private. It was done on the basis of the individual program project's assessed ability to "reflect and develop New Zealand identity and culture"

(Dunleavy, 2010). TV New Zealand (TVNZ) was left to support itself largely through advertising (about 90% of its revenues) and as much of the NZoA monies as they could successfully apply for on a yearly basis. Like the CMF, NZoA tends to focus on four underrepresented TV genres for support – Drama/Comedy, Documentary/Information, Children’s and Special Interest. By the late 2000’s the NZoA annual disbursement of program grants was just under \$100 million Canadian (~\$120M NZ), of which about two-thirds went to television projects and the rest to radio and other media (Dunleavy, 2010).

Unlike the CMF, NZoA generates its monies completely from a government grant (as was noted, historically equivalent to the level previously granted to TVNZ). Monies granted – as with CTF/CMF – go to independent producers who are most often working with TV networks acting as the distributor (thus lowering the costs to the networks). However, there has been more room in the NZoA model for some in-house PSB (NZTV mostly) allocation of funds. There was concern that the NZoA funds were not being distributed to higher cost quality drama and documentary and at different times government have either created special grants to NZTV or separate allocations via NZoA to address this issue.

TVNZ’s ability to sustain itself has also been helped by a general lack of local private competition in this small English-language market, the separation of Radio New Zealand (operating as largely non-commercial PSB, with some government direct grants), and its ability to create a range of specialty-type services with commercial appeal. As one of the key commentators on the NZoA story has suggested, the model of allocating the bulk of PSB funding through an agency like NZoA can be risky, and “The PSB ideal is that non-commercial public networks remain the centerpiece of national TV systems” (Dunleavy 2010, p. 308).

The inherent riskiness of such program funds is illustrated in Canada by the CRTC July 2012 regulatory decision to discontinue by 2014 the LPIF or Local Programming Improvement Fund (CRTC 2012).

The LPIF drew on a marginal tax on BDUs (ranging by year from 0.5% to 1.5% of revenues) to support local programming by broadcasters. It started in the 2008-9 recession and was generally supported by the broadcasting industry (though not the BDUs). CBC made a strong case for access and was awarded as much as \$37 million in 2010-11 based on its relatively high level of local programming among broadcasters (CBC 2012). As in the case of CMF/CTF there was considerable political lobbying on behalf of the larger BDUs (who also happen to be owners of the large consolidated television, radio and new media content producers) to exclude CBC from such funds on the basis of their public funding from other sources. Within the CRTC dissenting reports to the decision to discontinue LPIF, commissioners argued that such money was a wise use of resources to support the goals of public service including that done by the CBC.⁵

6. Telecom Tax

It might be argued that CBC and other broadcasters carrying out some PSB functions already benefit from a telecom tax in Canada, given that the CMF generate two-thirds of its revenues (\$200M per year) by a tax on the BDUs which are also among the major telecommunication companies (c.f. Bell Canada and Rogers). However the most direct example of a specific telecom tax specifically directed to PSBs occurs in France, and as discussed above, was directly linked to the de-commercialization of Frances Télévisions or FT (Kuhn, 2010).

The national French TV public broadcaster has 5 domestic channels including along with a main service, regional as well as special interest channels. It also runs the “overseas channel” (France Ô, formerly RFO Sat), which is aimed at communities in various overseas French possessions.

As discussed above, the start of the FT tax was proposed by former French president Nicholas Sarkozy to reduce the commercial advertising dependency, first in the period after 8pm on the networks and then throughout the day. The alternative funding would come from a tax on internet service providers and mobile phone operators. The rationale for this, as in other countries where such a tax has been discussed, is that PSBs often provide the bulk of local/national programming content that forms the basis of much the internet and smart phone content shared by the citizens in that country. Sarkozy argued the need for this in order to rid the main PSB television provider “from its dependence on advertising to become a French-style BBC” (Kuhn, 2010, p.162).

While at an idealistic level the Sarkozy tax represented a stable and potentially growing revenue stream for the French PSB it came with dependence on the government, coupled as it was with legislation to change the appointment of the Director General of FT “directly by the president” (*ibid*, p. 161). Furthermore as of September 2012 the French

⁵ In her dissenting report to the decision, Commissioner Lamarre wrote:

“58. The majority decision’s conclusions that the LPIF can and must be discontinued are not based on the full evidence, nor on the application of the guiding principles that should direct and govern its thinking... there is no mention anywhere in the majority decision of the effect of this decision on the implementation of the broadcasting policy for Canada...”

59. ...Although section 380 of Broadcasting Public Notice 2008-100 states that the Fund’s success will be evaluated on, among other criteria, ‘quantifiable evidence of audience satisfaction, such as public opinion polling,’ the majority decision did not take into account any of the 972 interventions filed by individuals, whether in terms of their number or content... The personal comments provide details that a poll could never provide and constitute, in my opinion, ‘quantifiable [and I would add qualifiable] evidence of audience satisfaction.’ The number of local news stories broadcast and how many more were added are also to be taken into account. But there are no references to the qualitative reports filed by broadcasters that benefited from the Fund, nor to the comments made by the broadcasters and unions during the hearing regarding the balance sought between the objective quantity of news stories and their subjective quality” (CRTC: 2012)

government was still attempting to address various court challenges to the approach before various European law courts.⁶

7. Donations

CBC does not accept donations from corporations or individuals, and indeed very few mature PSB operations around the world do so. The main exception is in the United States where the Public Broadcasting Service (PBS) and National Public Radio (NPR)⁷ are reliant on donations as the largest single portion of their annual revenues: 22% for PBS and 34% for public radio stations (CPB, 2012). Some analysts have argued that individual giving to stations forms a bond between audience members and the PSB. However others point out that it comes at significant cost in added infrastructure and has impacts on other revenue sources. Additionally there is some concern that a wealthy or even “elite” audience tends to drive donations (or indeed specific corporations or foundations), which may have a more narrowing impact on the range of programming that secures funding and network scheduling.

Of course within Canada the Ontario Educational Communications authority and its “public education media”, i.e. TVOntario, does rely on donations for support. In fact, TVO on the basis of an annual budget of \$65 million (2010-11) netted only \$2 million in donations (corporate and individual), based on gross donation revenues of \$5 million, minus \$3 million in costs of generating donations (TVO 2012).

If other international PSBs have seriously contemplated getting into the donation business, they have not been very open about it; perhaps due to the sensitive nature. For instance, in the 1990’s CBC began to study whether TV and Radio users would be willing to donate to the CBC, to offset significant government cutbacks at that time. CBC colleagues shared with this author results that were not circulated publicly: namely a lukewarm public response coupled with respondent concerns that any additional donations raised would be simply “clawed back” from other public funding (personal correspondence).

A recent revenue study recently commissioned for the Corporation for Public Broadcasting (CPB) for the United States Congress also suggests a negative relationship between donations and advertising. Analysis for CPB by accounting firm Booz & Company found that donations themselves, while currently stable, could be at risk by a move to more sponsorships and advertising on PBS. In an aggressive increase of 15% of advertising revenues, over half the gross would be lost in attrition from individual (as well as foundation and corporate) donations, a situation further compounded by significant audience declines (CPB, 2012).

⁶ Earlier this year a lower court ruled the tax illegal though the French government proceeded with levying the tax regardless. As of September, the European Commission has taken the case to the European Court of Justice (Register, 2012).

⁷ Including for these purposes other smaller public radio networks and independent stations (CPB, 2012).

Foundational giving in the United States is among the highest in the world, and public TV and radio are among the most successful in attracting support – foundation donations make up 7% of PBS and 8% of NPR revenues. It has at times been suggested that the CBC could attempt to attract foundation support. However, the situation is very different in Canada where large national foundations are rare and considerably less well financed. My own doctoral work with media leaders in this area shows very little appetite or indeed available funds for foundation contributions to media, including the public broadcaster (Savage, 2006).

8. Other

Other smaller forms of revenue sourcing have been considered in different countries. Again the work done this past year by the CPB outlines some of the more likely possibilities including:

- Paid Digital Subscriptions
- Digital Game Publishing
- Enhanced Digital On-line Advertising
- Tower Leasing
- Merchandise Licensing
- Retail Product Sales
- On Demand Distribution
- Production Services
- DVD and CD Sales
- Spectrum Sales (CPB, 2012)

In fact, the CBC is more advanced in studying and in some cases implementing a number of projects to leverage its current assets than other PSBs; they have started to maximize marginal revenue increases in many of these areas. The CBC has leveraged its programming onto new pay-for channels either on a program by program basis with iTunes or as part of a digital subscription service like Netflix, and is indeed a leader in Canada among all media in this regard. The CBC also has a well-developed series of retail relations and distribution agreements for CD/DVD's and other retail product sales. However, in all these cases CBC acts as co-producer or distributor of much of the audio-video content must negotiate with independent producers other partners various distribution and sales rights, limiting both the revenue potential and flexibility of marketing.⁸ The leasing of tower space and to some degree spectrum sales has been fully considered and in some larger markets is quite successful (e.g. Montréal and Toronto). However the bulk of the CBC's far-flung towers and distribution networks are located in extremely small markets where most commercial enterprises are not interested.

⁸ The CBC's audio programming content is more easily distributed and marketed because CBC Radio is sole owner of over 95% of the programming it produces. However, the market for audio material – especially spoken word – is considerably more limited.

While there are all sorts of reasons for the CBC to continue to explore these new forms of revenue, and indeed to continue to generate 1-2% of total CBC revenues, one is inclined to agree with the CPB authors, after their survey of the US market, that:

...[E]xtensive research [and] independent studies conducted over the years, supports the finding that there are no new or alternative sources of revenue, alone or collectively, that could replace [the] annual appropriation (CPB, 2012, p.47).

5. Likelihood, Impact & Risks of Alternative Funding

Given the range of experience among mature PSBs around world and the position of the CBC relative to those contexts, we attempt finally to assess the impact and risks of increasing any or all of the eight major revenue sources for public broadcasting in Canada.

Table 2: Likelihood, Impact and Risks of Funding Sources for the CBC

Source	Likelihood (0-3)	Impact (0-3)	Adverse Risk (0-3)
1. License Fee	0	3	2
2. Direct Grant	1	3	1
3. Advertising	3	2	2
4. Pay Services	2	2	1
5. Program Fund	1	2	1
6. Telecom Tax	1	2	2
7. Donations	1	1	2
8. Other	1	1	1

Key: 0=None; 1=Low; 2=Medium; 3=High

1. Licence Fee: Given that internationally only former Soviet-bloc countries are moving toward license fees (and facing significant enforcement issues), it is extremely unlikely that the Canadian political and economic context would support the introduction of a replacement or additional license fee for the CBC (Likelihood=0). While a special license fee to raise specific funds for specific types of programming (e.g. \$10 per year for CBC to create innovative multimedia programming, along the line of Danmarks Radio) could significantly impact on the central role of the public broadcaster in providing original, Canadian content production (Impact=3), it would face strong opposition from tax-paying citizens and commercial competitors (Adverse Risk=2).

2. Direct Grant: Similarly the impact of a significant increase to the annual Parliamentary grant would have very strong support among some groups, although not those most strongly aligned with the current government. However, for the present, any increase in this source of revenue has low likelihood (1), even though its impact would be among the most significant (Impact=3). Meanwhile the risk overall of such a move is relatively low (Risk=1).

3. Advertising: The CBC has managed quite successfully— even in the face of budget cuts and recessionary pressures – to increase its television advertising and to experiment and develop new forms of on-line advertising, including aggressive sponsorship arrangements that often leverage both traditional and new digital forms of advertising. With the successful bid for some sporting rights (notably the next Winter and Summer Olympics in 2014/16), the likelihood (and pressure) of advertising revenues growing is considerable (Likelihood=3). That likelihood is also improved by the CBC’s ability to leverage its other funding and range of local and national Canadian content to maintain a leadership on new digital platforms. The impact may be considerable (Impact=2) though not as high as a small increase to the direct grant, given the costs associated with generating

advertising as well as the inability for the CBC to apply those increased revenues – especially as a result of sponsorships – to all areas of the public service mandate. Indeed the risks associated with increased advertising are potentially significant (Risk=2), not so much for certain aspects of television programming, but in particular for information and cultural programming, especially on the radio networks.

The on-air CBC Radio services in English and French currently have strict CRTC non-commercial conditions of licence. And yet, for many users of CBC audio their entry point is through various cbc.ca digital platforms – internet and mobile – that are becoming somewhat commercialized. The loss or infringement upon the last remaining commercial-free space in Canadian media may have a major impact among a significant group of opinion-leaders and their long-term support for public broadcasting in Canada. This may not be immediate, but as the 2012 CPB analysis suggests in light of Public Radio in the United States:

...(G)reater dependence on advertising as a source of revenue is likely to precipitate a shift in the nature of the content available on public radio stations and ultimately put in jeopardy the mission of public broadcasting (CPB, 2012, p.33).

4. Pay Services: The CBC has had some success in applying for pay service licenses, partnering, or even acquiring pay services. While it is unclear if the regulatory climate would be favorable for further regulated CBC pay services, initiatives in unregulated digital subscription services is a medium possibility (Likelihood=2). In the short term – both in terms of start-up costs and development of pay-for-content models developing – the revenue effects would be low but is likely to grow to medium level (Impact=2). As with the case of the BBC, there is some risk – especially in partnership arrangements – regarding the commitment of resources and the pressure to move further from public service programming goals (Risk=1), although probably not as considerable as with a further dependence on advertising.

5. Program Fund: There is a low chance (Likelihood=1) of an overall increase in funding for the CMF or indeed creation of new program funds for CBC programming through increases to government-supported program funds in general. Although the government is discontinuing the LPIF, governments in Canada and around the world generally tend to favour directed funds for specific policy goals. There is also considerable pressure from a range of independent producers, labour and talent groups which have an impact.

Assuming that the CBC can make the case that the PSB is a good investment for programming but that they would be shared with other private networks, revenues are likely to be moderate (Impact=2). There would be minimal risks associated with such funding sources (Risk=1) insofar as these program funds often target areas within the broad programming policy goals of the Act, in which the CBC remains the major policy instrument for implementation.

6. Telecom Tax: The Sarkozy-style telecom tax (including tax on ISPs) has a certain appeal (for governments) as a specific directed funding source, but is still likely to generate some adverse publicity, industry pushback and significant legal challenges. It

has not been picked by other countries struggling to find alternative PSB funding sources; and is unlikely to occur soon in Canada (likelihood=1). The impact of such a fund could be considerable for the CBC, especially if it were designed as a specific supplement to address chronic revenue declines relative to inflation in the parliamentary grant (Impact=2). There are, however, some considerable risks associated with it (Risk=2) both in terms of media industry opposition apportioned to the CBC, as well as pressure to reduce CBC's advertising revenues and flexibility (as per France's FT), or indeed reduction of access to grants and program funds designed for the entire broadcasting sector.

7. Donations: The likelihood of most PSBs seeking donations is low (other than those in the United States), and the willingness for the government to change legislation and policy to allow is also low, in particular in Canada (Likelihood=1). If it were to occur, the level of giving is expected to be minimal and to some degree offset by the cost of fund-raising infrastructure that the CBC would have to absorb (Impact=1). Again there is a considerable risk that the government (and perhaps the public) would see any increase in donation income as a reason to reduce tax-generated revenues to the CBC (Risk=2).

8. Other: There is a range of other income sources that can be – and indeed have been – tried by the CBC. As discussed above, there are some forms that are more likely than others. But on balance the likelihood of them collectively becoming a source of significant income are low and the addition to the base CBC budget relatively insignificant (Likelihood=1/Impact=1). Furthermore, some of these other forms of funding if pushed to the extreme might, as in the case of advertising involve potential damage in terms of the dilution of the public mandate, poor relations with media partners/competitors, and eventual decline in public support (Risk=1).

6. Conclusion

The CBC has been – by PSB international standards -- among the most adept at leveraging its modest levels of direct public funding sources to take advantage of a range of alternative funding sources. There is nothing to indicate from a scan of international funding sources used by PSBs that a funding “magic bullet” exists that would solve current chronic under-funding in terms of the direct public grant. There is every reason to believe that the CBC will continue to develop new methods and increase the value of current alternative approaches, if at a moderate level. However, as the situation with under-funded PSBs internationally suggest, especially in the United States and Eastern Europe, a downward spiral of increased costs to raise limited new revenues is a real possibility, that may in fact imperil the value of the tax-based contribution by Canadian citizens.

In essence therefore, this report demonstrates that those PSBs most successful internationally at generating additional revenues (to support growing mandate demands) have done so on the basis of political and economic circumstances in which the overall funding for PSB has, at its base, direct and stable, multi-year public funding (either through license fee and/or legislative grant). The lessons worldwide suggest that there are significant risks in forcing PSBs to be reliant on alternative sources primarily, including paradoxically their inability to leverage additional revenues.

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Appendix 2:

*Radio Broadcasting, Community and Culture: The Official Languages Act,
Broadcasting Act and the Case of CBEF Windsor*

Radio Broadcasting, Community and Culture:

The Official Languages Act, Broadcasting Act and the Case of CBEF Windsor

Anne F. MacLennan

York University

with

Irena Knezevic

Mount Saint Vincent University

Background

Canada's national broadcasting system operating in two languages is a model for other countries for its quality and ability to serve various regions. The funding of the Canadian Broadcasting Corporation, however, has remained fairly constant in the last decade, consequently challenging its ability to serve the regions, operate in two languages and provide high quality broadcasting for the country. CBEF Windsor provides a case in point for a Canadian national question of linguistic minorities and their place in broadcasting. National budget cuts had an enormous impact on the station CBEF and its local francophone community. The unique situation in Windsor shares common elements with official linguistic minority communities across the country, but also stands out for some of the characteristics of the community from history to location. The legal and policy analysis that follows will be considered with interviews from the community to make recommendations regarding the accommodation of linguistic minorities across the country.¹

At 5 a.m., May 18, 1970, the cultured voice of Christian Carreyou welcomed radio listeners to the new CBC French service, CBEF, with "Bonjour, Windsor!" Checking in at the very beginning of the AM dial, 540 kHz, CBEF joined a small group of radio stations outside Quebec serving francophones.²

After forty years of broadcasting for francophone listeners, CBEF, Windsor stands in the centre of a storm of controversy over the place of minority language communities on the Canadian Broadcasting Corporation/Société Radio-Canada (CBC/SRC). Listeners formed an advocacy group and took up the challenge to the reduction in French-language programming at the local level. CBC/SRC's language policy evolved in stages through practice rather than as a result clear guidelines about the place of language minorities on the national network, especially with regards to locally produced programs.

Language has been a contentious element within Canadian national broadcasting since the existence of the Canadian Radio Broadcasting Commission from 1932 to 1936. The network broadcast its programs nationally in English and French provoking complaints from areas that had few either francophones or anglophones. The virulent reactions were considered when the Canadian Broadcasting Corporation was first established in 1936. The CBC/SRC built both the English and French-language stations in Montreal that year, which became the foundation of two separate national French and English services across the country.

Questions over the rights of the francophone community to local French-language broadcasting persist. The few larger francophone communities are served by their own CBC/SRC stations and stations across the country receive French-language broadcasting, but largely drawing on

¹ With additional thanks to the other members of the research and interview team, Aidan Moir, Brianna Bertin, Meirna Malaty, Ian Weir, Erin Queck, Nellie Rod and Samantha Kalpouzos and the report team Aidan Moir, Doug Wintemute, Natashia Fearon, Emiy Chicorli, Jordan Hobbs and Frédérique Bournot.

² Ted Shaw, "CBEF celebrates a milestone," *The Windsor Star*, May 18, 1995, sec. B-6, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 20612648).

national or provincial programming.³ Windsor is in a unique position with regard to its broadcasting market. It is one of the few minority language stations to broadcast its own local programs. It is part of a French-language chain that serves francophones outside of Quebec, when there is no equivalent chain or station to serve minority language anglophones with local programming inside Quebec outside of the provincial service provided in Montreal. Most of the English-speaking communities in Quebec are and have been concentrated around Montreal and within listening range of provincial programming from Montreal, however, communities in the Eastern Townships were overlooked when Windsor first started broadcasting in French. The English minority communities outside Montreal have since declined in population. Windsor, however, has historically provided the distinct example within the fabric of Canadian broadcasting since 1934 when CKLW was the only station to become an American network affiliate outside of Montreal and Toronto as part of the Mutual Broadcasting System. More recently, exemptions to Canadian content regulations have taken its proximity to Detroit into consideration. Finally, the 400-year old French community has had regular access to local programming in French. This unusual mixture of the proximity to a large American city, an historical francophone community and access to local French-language programming gives Windsor a privileged position within the Canadian system.

As a linguistic minority community, francophones in Windsor do have some status under the Official Languages Act. The challenge at hand is whether the CBC/SRC, as a crown corporation, must provide French-language programming beyond the French-language programming broadcast nationally and provincially, that is a right to the provision of local programming through the local CBC/SRC station, CBEF. As an aural medium, radio's impact is potentially great for a linguistic community in ways that other media outlets do not share.

CBEF: The Station

CBEF is a Radio-Canada Première Chaîne station in Windsor, Ontario, broadcasting at 540 AM with a rebroadcast at 103.1 FM in Leamington, Ontario. The station has been in operation since May 18, 1970, and the Leamington transmitter was added in 1982. In 2008 the station also received a permit to broadcast at low power at 105.5 FM, to compensate for AM reception issues in Windsor.⁴

With the exception of CJBC-FM-1 at 103.9 FM, which is a rebroadcast of the Radio-Canada La Chaîne culturelle (Espace musique) CJBC-FM in Toronto⁵, CBEF is the only French language station serving Windsor and area. Its sister English-language station in Windsor is CBE CBC Radio One at 1550 AM.

³ For a listing of stations in the Première Chaîne please see http://www.radiocanada.ca/radio/lib/v3.1/pdf/Frequences_PC.pdf

⁴ CRTC, Broadcasting Decision CRTC 2008-102. <http://crtc.gc.ca/eng/archive/2008/db2008-102.htm>, accessed December, 2010.

⁵ CJBC was an English-language station until 1964 and its controversial transfer to French in 1964. See Thomas R. Maxwell. *The Invisible French: The French in Metropolitan Toronto*. (Waterloo: Wilfrid Laurier University Press, 1977).

CBEF, CJBC, CBON-FM in Sudbury and CBOF-FM in Ottawa are among Première Chaîne stations serving Ontario's francophone community that in 2009 numbered over 582, 000.⁶ In addition to local programming, CBEF's role has included contributing to Ontario current affairs programs broadcast across the province, thereby increasing the impact of the station.

CBEF, like stations across Canada, experienced the budget contractions over the last two decades resulting in significantly reduced levels of service, especially with regards to the ability to provide local programming, since most of the significant cuts affected staff. Since the mid 1990s, a series of budget cuts started affecting the station, and its relatively low market share made it a prime target for staff reductions. One of the most significant early cuts was in 1996. *The Windsor Star* reported that:

Nationally, nearly 1,000 CBC staffers [were declared] redundant [in] English and French, radio and TV. Another 700 jobs have been lost through buyouts and attrition, 700 were eliminated over the last year and 800 more are expected to go next year, for total of about 3,200. All these cuts are designed to cope with a reduction of \$414 million in federal subsidies.⁷

These cuts also appeared in the *CBC Annual Report of 1996-97*, noting that the changes to radio and television service costs amounted to a 7.2 percent change, but a real dollar change of \$85,298,000. While costs amounted to \$5,463,000, the change in corporate management represented a decrease in budget of 24.7 percent.⁸ These changes were the result of a larger Parliamentary appropriation for downsizing. At the point of the publication of the 1996-97 report \$148,000,000 was received of which \$50,000,000 was repayable in advance.⁹ Such a drastic downsizing across the country naturally affected programming and put communities on alert for the next such change. In March 2009, the CBC/SRC budget cuts reduced the station's staff, effectively eliminating local programming. The community unsuccessfully rallied and even took legal steps to prevent the rendering of the station to a mere transmitter. They were left with three local news inserts totalling 20 minutes a day. In September 2010, another staff member was hired and a 50-minute morning regional news show was added.

Community Profile

The francophone community in Windsor can trace its origins to 1701 with the arrival of Antoine de La Mothe Cadillac, who founded Windsor-Detroit. By the mid 1700s a permanent French settlement was in place at what is now Windsor. As a French-speaking community within a largely English-speaking continent, the community's size and impact has diminished in the last three centuries. The 2006 census indicates that in Windsor, 285 francophones (0.13 percent) reported knowing only French and another 5,930 (2.7 percent) identified French as their mother

⁶ The Trillium Foundation. Profile of Ontario's Francophone Community, 2009. http://www.ontario.ca/en/communities/francophones/profile/ONT05_024285, accessed December 2010.

⁷ Ted Shaw, "Media: Windsor CBC loses 24 jobs," *The Windsor Star*, December 12, 1996, sec. A.1, retrieved October 30, 2010, from Canadian Newsstand Major Dailies, 1996 (document ID: 23256911).

⁸ CBC Annual Report 1996-97, p. 44.

⁹ CBC Annual Report 1996-97, p. 43.

tongue. In Windsor-Essex county (the metropolitan area), there were 395 (0.1 percent) residents who spoke only French. Nearly 34,000 in the metropolitan area spoke French (see Table 1.1), and while most of them were bilingual, in the total population of 323,000, 11,105 (3.5 percent) people identified French as their mother tongue. In the neighbouring Lambton and Kent counties, which CBEF considers to be in the station's service area, another 75 (0.07 percent) and 65 (0.05 percent) French-only speakers were recorded respectively, and 2,865 (2.6 percent) and 2,895 (2.2 percent) reported French as their mother tongue. Those numbers have been declining over the last two decades.¹⁰

Table 1.1

Language	Mother Tongue	Knowledge of official languages	Language spoken most often at home
French	11105	395	2905
English and French	1115	33575	705

Source: Statistics Canada. 2006 *Cumulative Profile, Windsor - Sarnia* (25 subdivisions) (table). Census of Population (Provinces, Census Divisions, Municipalities) (database), Using E-STAT (distributor), 2006. http://estat.statcan.gc.ca/cgi-win/cnsmegi.exe?Lang=E&EST-Fi=EStat\English\SC_RR-eng.htm.

CBEF, however, serves the wider area of Southwestern Ontario, which includes Essex, Kent and Lambton counties. Proponents of CBEF estimate that the total coverage area their station services boasts some 35,000 francophones.¹¹ Yet, according to the Trillium Foundation's¹² data, the area is home to fewer – only 21,000 francophone residents out of the total population of 630 000¹³ and the number has been declining in recent years:

Between 2001 and 2006 EKL's [Essex-Kent-Lambton] francophone population decreased by 9.1 percent, a significant decrease in the context of the overall provincial increase of 0.9 percent. In fact, there were 2,155 fewer francophones in Essex in 2006 compared to 2001. Despite declining numbers however, this region's francophone community is quite substantial - over 21,000 people.¹⁴

The Trillium Foundation's count of the francophone community stands in contrast to the often quoted 35,000 in the press and the *Rapport d'enquête préliminaire* of the Office of the Commissioner of Official Languages.¹⁵ By way of comparison, Ottawa's Première Chaîne serves 12,985 (1.6 percent) French-only speakers and 119,445 (14.7 percent) residents who in

¹⁰ For a more detailed demographic portrayal of the province see Conrick, Maeve. Demographic trends and the linguistic composition of Canada and Quebec: An analysis of recent evidence. In Martin Howard, ed., *Intercultural Dialogue: Canada and the Other* (Ottawa: University of Ottawa Press, 2007), 101-116.

¹¹ Ted Shaw, "CBEF backers fighting cutbacks," *The Windsor Star*, June 20, 2009, sec. A.3, retrieved October 30, 2010, from Canadian Newsstand Major Dailies, 2009 (document ID: 1756702181).

¹² Trillium Foundation is a grant-making body focused on improving quality of life of Ontarians. For more information see <http://www.trilliumfoundation.org/>

¹³ The Trillium Foundation. *Community Profile: Essex, Kent, Lambton (EKL)*, 2008. http://www.trilliumfoundation.org/your_community_in_profile/english/region_highlight/ekl.html, accessed December 2010.

¹⁴ Ibid.

¹⁵ Office of the Commissioner of Official Languages, *Compressions budgétaires de CBC/Radio-Canada à CBEF Wubdsir (Ontario) Rapport d'enquête préliminaire*, 2010.

2006 identified French as their mother tongue. In Sudbury, 2,550 (1.6 percent) French-only and 42,950 (27 percent) French-as-mother-tongue francophones were identified in the 2006 census. Further comparison can be done with London, Ontario, where only 5,115 (1.5 percent) census respondents identified French as their mother tongue, and 275 (0.08 percent) spoke only French. London, however, has no French language radio service at all. In fact, there is no CBC/SRC London radio station in either official language, the closest CBC/SRC station being in Toronto.

Additionally, compared to francophones in the rest of Ontario, those living in Southwestern Ontario are least likely to speak French at work, only 12.4 percent, and even at home, 14.1 percent, with the latter number reflecting the province-wide trend of declining number of families with both partners identifying French as their mother tongue.¹⁶ More important may be the fact that despite the steady albeit gradual population growth in Windsor, the French-speaking population has been declining over the years (see Appendix 1) and since the station's launch the number of French-speaking Windsorites has dropped by some 40 percent. On the other hand, in addition to the historic francophone population, Windsor-Essex area is home to "growing immigrant population with French as their second language"¹⁷ and the county boasts "relatively large numbers of children attending [French-language] schools and requiring specific cultural elements."¹⁸ Indeed, in Windsor-Essex there are thirteen French and five French-immersion grade schools and two French high schools with a student population of over 5000.¹⁹ A growing school system is usually a sign of a growing linguistic community, however, in this case other factors must be considered for the popularity of the French-language schools. They are popular with the immigrant population that boasts French as a second language and are viewed as a vehicle to government and national jobs for English-speaking Canadians who would like to afford their children as many advantages as possible when the opportunities exist. The growth of the French-language school system would support and assist the growth of the original francophone community, but due to the broader popularity of the schools they cannot be viewed as an indicator of any long-term commitment to the community.

Moreover, it is also necessary to acknowledge the diversity of Ontario's and EKL's francophone population and the different cultural needs that the community members may identify. For instance, while education has been perhaps the most significant linguistic issue in Canada, education is not seen as enough by some – institutions and concentration of francophone can be as important for minority language retention.²⁰ Moreover, some Radio-Canada listeners have in the past complained that they felt disconnected from the programming which they saw too

¹⁶ The Trillium Foundation. Profile of Ontario's Francophone Community, 2009. http://www.ontario.ca/en/communities/francophones/profile/ONT05_024285, accessed December 2010.

¹⁷ Windsor-Essex County. Phase 1: Best Start Integrated Implementation Plan, 2006. <http://www.citywindsor.ca/DisplayAttach.asp?AttachID=6179>, accessed December 2010, pg 9.

¹⁸ Ibid., 4.

¹⁹ WECDSB, "Schools Providing French Immersion," Windsor-Essex Catholic District School Board, 2010, accessed February 11, 2010, <http://www.wecdsb.on.ca/programs-frenchimm.asp>. CSDECSO, "Ecoles secondaires du CSDECSO". Conseil secondaire de district des ecoles catholiques du Sud-Ouest. February 10, 2011. <http://www.csdecso.on.ca/> CSDECSO. "Ecoles elementaires du CSDECSO". Conseil secondaire de district des ecoles catholiques du Sud-Ouest. February 10, 2011. <http://www.csdecso.on.ca/>

²⁰ Raymond Mougeon and Michael Canale, "Maintenance of French in Ontario: Is Education in French Enough?" *Interchange* 9, no. 4 (1978-79): 30-39.

intellectual and dull, too Quebec-centred²¹, or that the standardized French (in media as well as in schools) was too different from the vernacular²² or even that Radio-Canada seen as “an agent of assimilation” as it poorly reflected local minorities who in turn looked to English-language media.²³ When contrasted with the position that CBEF local programming is essential for the local francophone community, it becomes apparent that the linguistic minority community in Ontario has had mixed feelings about Radio-Canada and a diverse range of views on its cultural importance.

This is further complicated by francophone immigration, which up until the early 2000s was very low. In fact, at that time only 3.6 percent of immigrants to Canada spoke French only compared to 78.8 percent who spoke only English.²⁴ Increased francophone immigration was encouraged, and as noted above, Southwestern Ontario has seen an increase in French-speaking immigration, but the cultural agenda of local francophones may not exactly be all that welcoming of this trend. For instance, Madibbo's 2005 study indicates that francophone immigrants are not necessarily embraced by francophones in Canada and, in fact, looking at the Haitian diaspora in Ontario, argues that “the needs of Blacks as a racial minority have not yet been included in the Francophone social agenda.”²⁵ The changes in the composition of the francophone community in Windsor reflect the larger reality of the French-speaking communities in Quebec and across the country. The growth due to immigration altered the once homogenous and historically rooted community to transform it into a francophone community with broader cultural roots and characteristics.

Community Role

Unlike the national service of French-language programs and stations across the country provided by Radio Canada, stations such as CBEF emerged and grew against the backdrop of cultural, linguistic and political controversies of the 1960s and 1970s. Andrew Parkin and André Turcotte recently revised the issue of bilingualism in *Bilingualism: part of our past of part of our future?* They note that

Over many years, Canada's linguistic duality has underpinned both political conflict and the search for political accommodations. By the 1960s, the injustices suffered by linguistic minorities had fuelled both modern Quebec nationalism and a push for reform by the federal government²⁶.

²¹ Ibid.

²² Raymond Mougeon, “Sociolinguistic Heterogeneity: The Franco-Ontarians. In Valdman, Albert (Ed.),” *French and Creole in Louisiana* (New York, Plenum Press, 1937), 287-313.

²³ Shiela McLeod Arnopoulos, *Broadcasting for the Official Language Minorities: The Need for a Community Development Approach*, 1985. Report submitted to the Task Force on Broadcasting.

²⁴ Jack Jedwab, *Immigration and the Vitality of Canada's Official Language Communities: Policy, Demography and Identity*, (Ottawa: Office of the Commissioner of Official Languages, 2002)

²⁵ Amal Madibbo, *Immigration, Race and Language: Black Francophones of Ontario and the Challenges of Integration, Racism, and Language Discrimination*, (Ottawa: CERIS – The Ontario Metropolis Centre, 2005) 37.

²⁶ Andrew Parkin and André Turcotte, *Bilingualism: part of our past or part of our future?* (Montreal: Centre for Research and Information on Canada, 2004).

Their comparative work examines views of bilingualism then and in 2004 in light of the Action Plan for Official Languages in 2001.²⁷ Indeed language was always controversial in the 1960s and 1970s, but that controversy has been somewhat blunted, at least outside of Quebec more recently. The challenges to CBEF's quotidian existence as a reporter of community events would have been interpreted as a broader challenge to culture and language then, however, one of the primary considerations today for the CBC/SRC is a budgetary one.

The Royal Commission on Bilingualism and Biculturalism was established in 1963 and tabled its final report in 1969. The Official Languages Act was passed later that year.²⁸ This freshly established climate of bilingual rights rather than pressures created a comfortable foundation for CBEF when it started broadcasting in 1970. These issues remained in sharp political and cultural focus. The need for French-language minority media was seen as urgent. Only months after CBEF was launched, the October Crisis in Quebec sparked further debate over language and culture. Marked with bombings, kidnappings and a killing, the October Crisis drew the attention of anyone who might have otherwise ignored the growing tensions.²⁹ The following year Canada adopted its *Multiculturalism Policy*. CBEF was only a part of wider national efforts to address the discontent expressed nation-wide by francophone minorities in the predominantly anglophone regions.

Years later the Office of the Commissioner of Official Languages would note in a CBC/SRC time-line:

1965. Three decades [after the creation of the CBC] the B and B Commission notes that the media, especially radio and television, communicate very little common content in English and in French at the national level. Furthermore, Francophone minorities are almost entirely deprived of access to Francophone media. On the other hand, the Anglophone minority in Quebec is well served by English language.³⁰

The review, decades later, indicates that the drive to provide services was originally on the national level. On the other hand, CBC/SRC in both languages has placed importance the provision of local programming. In the 1980, for example, it spent over third of its French-language budget on regional productions:

The CBC's French-language radio services spent a total of \$60.5 million in 1986/87 with a network:regional allocation ratio of 61 to 39. This division is in line with past program allocations which were in the order of 62:38 for the years 1981/82 through 1983/84 and 63:37 in 1984/85 and 1985/86. On the English

²⁷ Ibid.

²⁸ The revised Official Languages Act 1988 made the 1969 version enforceable. See Coulombe, Françoise *The Official Languages in Canada: Federal Policy*. (Ottawa: Government of Canada, 1998)

²⁹ Mail box bombings in English-speaking areas, the kidnapping of the British diplomat James Cross, and the kidnapping and killing of Min. Pierre Laporte brought these issues into sharp focus beyond the boundaries of Quebec and Canada.

³⁰ Office of the Commissioner of Official Languages, *Annual Report: Special Edition, 35th Anniversary (1969-2004)*, Volume I (2005), http://www.ocol-clo.gc.ca/docs/e/2004_05_e.pdf, accessed December 2010, pg. 88.

radio side...Prior to 1985/86 slightly more funds had been allocated to regional programming (52% in 1981/82, 54% in 1982/83 and 53% in 1983/84 and 1984/85); with the 1985/86 fiscal year, 56% of program allocations went to network expenditures. In 1986/87 the English radio services spent \$98.2 million on programming, divided between network and regional expenditures on a ratio of 55:45.³¹

CBEF's location, however, is also essential in understanding the cultural significance of its role in the region. While the historical fears of the US media imperialism have always been nationwide, that fear has only been heightened in border communities. Windsor has only a river separating it from Detroit, Michigan, and it represents one of the most competitive radio markets in Canada. Windsor listeners have literally dozens of radio stations from both Windsor and Detroit available to them. Commercial radio market has encouraged nationally-indiscriminate listenership and promoted the idea of a singular Windsor-Detroit coverage area. In fact, several stations formally identify themselves as Windsor-Detroit stations. Additionally, market share data shows that Windsorites tend to listen to more American than Canadian radio. In fact, some years Detroit stations captured as much as 70 percent of the Windsorites' listening hours (see notes in Appendix 2). Consequently, following a CHUM Group application in 1999, CRTC agreed to exempt commercial Windsor radio stations from the Canadian Content requirements and grant them a special permit to limit their Canadian content to only 20 percent (as compared to the standard 35 percent), the only such exemption granted due to reasons of geography.³² The CRTC decision reads:

In this decision, the Commission approves the licensee's request to broadcast an overall minimum Canadian content level of 20% for popular music broadcast on CKWW, CIMX-FM and CIDR-FM. The Radio Regulations, 1986 require commercial radio stations to broadcast weekly at least 35% Canadian content for popular music. Because it is adjacent to Detroit, one of the largest American radio markets, Windsor receives many strong U.S. radio signals. The Commission considers that the Windsor market is unique and that it requires the programming flexibility envisaged in the CRTC's commercial radio policy (Public Notice CRTC 1998-41). The policy allows licensees, in exceptional circumstances, to broadcast lower minimum Canadian content levels.³³

Yet with all the apparent choice, Windsor has also experienced an increased challenge of disappearing media diversity due to the continued trend of media concentration. While commercial stations are many, the market is dominated by CHUM Group. In 1992, as CHUM continued to grow, *The Windsor Star* noted, "CHUM president Alan Waters announced the...purchase...of Amicus Communications, a division of Trillium Cable Communications...would leave only the CBC's CBE-AM, CBE-FM and French-language CBEF-

³¹ CRTC, Decision CRTC 88-181: Maintaining a Distinctive, High Quality CBC Radio Service, 1988. <http://www.crtc.gc.ca/eng/archive/1988/DB88-181.HTM>, accessed December 2010, pg. 4.

³² Some stations are granted a similar exemption but due to the nature of their content, for instance jazz and blues stations. Windsor is the only area to be granted the exemption based on geography and competition.

³³ CRTC, Decision CRTC 99-583, 1999. <http://www.crtc.gc.ca/eng/archive/1999/DB99-513.HTM>, accessed January 18, 2011.

AM, as the remaining Windsor stations outside the CHUM corral.”³⁴ There is also a low-power community radio station at the University of Windsor, and more recently, Southwestern Ontario's Blackburn Radio group has established a country music station in the city, but the market remains dominated by CHUM, making public broadcasting greatly needed to balance broadcasting content in the area.

In this light, the role of Canadian public radio in Windsor and area has been marked by underscored expectations regarding Canadian cultural preservation. In 1993, for example, *The Windsor Star* reported that Howard Pawley, “who sat on the Mayor's Committee to help restore CBC-TV news to Windsor, said Windsor is a 'lighthouse surrounded by a sea of American culture'.”³⁵ The lighthouse role is even more pronounced for a station that broadcasts in French and is virtually the only one to do so in the area. Consider, for instance, the following 1988 write-up in *The Windsor Star*:

"Sauf Windsor" means "except Windsor," the two most frequently found words in Radio-Canada's TV programming guide for Channel 54....The "sauf Windsor" situation can be viewed as a minor example of the cultural erosion of the French language in English-speaking Canada. That erosion is the prime motivator for supporters of French TV and radio in communities like Windsor. Pierre Granger, *Ce Soir's* anchor who worked as a radio announcer on CBEF in the early '70s, said protecting the French language in Windsor is one way of staving off Americanization. "It's part of our identity and we need something to express that, especially in a place like Windsor.”³⁶

Consequently, the station's history is marked by notable community involvement that has contributed both to preservation of French language and francophone culture and to the wider Canadian sense of identity. CBEF has played a key role in francophone events in the area, such as Southwest Ontario Francophone Festival and St Jean Baptiste Day, as well as *Festival de la Moisson*, the francophone harvest festival. The station also took initiatives to preserve and record francophone music of the area, and to bring prominent Canadian francophone musicians to Windsor. It further ensured francophone presence in more general events, most notably every summer at the annual Windsor-Detroit Freedom Festival, a week-long joint celebration of Canada Day and the US Independence Day. For the annual writing and poetry contests, CBEF joined other local media to ensure that francophone students participated.

Most of CBEF's programming has always originated elsewhere, as is the case for most stations in the network, with Montreal and Toronto being but most prominent points of origin for programming, but the station traditionally produced substantial local content. Even though the bulk of the schedule was re-broadcast of Toronto's CJBC 860 AM, local programming and contribution to regional and national network content was notable. In its heyday, the station

³⁴ Owen Jones and Harry van Vugt, “Deal would unite four city radio stations,” *The Windsor Star*, April 3, 1992, sec. A.1, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 189521141).

³⁵ Ted Shaw, “Media and arts come fact to face Windsor a 'lighthouse,’” *The Windsor Star*, September 20, 1993, sec. B.5, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 190001191).

³⁶ Harry van Vugt, “Ratings don't tell whole story,” *The Windsor Star*, April 30, 1988, sec. C.1, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 188100961).

boasted up to 30 staff and more than 30 hours a week of local programming. In 1994, for example, 34 hours and 35 minutes of programming a week was produced locally.³⁷ CRTC licence renewal documents for 1994 also show that this amount of local programming was typical for the French-language stations in Ontario at that time. The rich programming also did not seem to be an anomaly; the 1994 numbers resemble a pattern that had existed for several years already. Six years earlier, in 1988, *The Windsor Star* wrote of the station:

CBEF has a permanent staff of 14 and shares technical people, as well as some studio space, with its English-language counterpart, CBE. The stations also co-operate in newsgathering on occasion...CBEF's key locally produced content are drive-time programs from 6-9 a.m. and 3-6 p.m. weekdays, in addition to a 6 a.m.-noon show Saturdays... The station is also a participant in a regional Ontario program 9:07-9:30 a.m. weekdays, and an occasional contributor to the full network.³⁸

In this context, CBEF not only ensure local content for Southwestern Ontario's francophones, its contribution to French-language media-scape also placed Windsor and area on the map for francophone listeners across the nation. The station's multi-faceted role in the area created a sense of pride and ownership among local population – francophone or not. *The Windsor Star's* celebratory piece marking CBEF's twentieth anniversary serves as a notable illustration of that sentiment:

At a time when the French language seems to be in retreat in many parts of Canada, there is a celebration taking place in the Windsor area that proves just the opposite; it marks the 20th anniversary of the French-language radio station CBEF. CBEF is the result of a dream of francophones, as well as some anglophones, who felt the French character of southwestern Ontario needed the services of a radio station to reflect their ideas, aspirations and culture. Over the past two decades, CBEF has become an important part of the community's social and artistic life. In the natural evolution of services, CBEF eventually gave birth to the French television station CBEFT, a uniquely Canadian service in an area swamped by American stations. To many of us, the two French outlets are still novel forms of entertainment. They bring us the artists of Quebec, and France; people we would not ordinarily see or hear on English stations. CBEF links us with another part of Canada . . . different, interesting, and, yes, we venture to say, a special part with a distinct character all its own.³⁹

These celebratory notions and sentiments are very evocative of the national centenary and the early sense of optimism about bilingualism and biculturalism that provided a springboard for the establishment of CBEF in 1970.

³⁷ CRTC, Decision CRTC 94-683, <http://www.crtc.gc.ca/eng/archive/1994/DB94-683.HTM>, accessed December 2010.

³⁸ Harry van Vugt, "Ratings don't tell whole story," *The Windsor Star*, April 30, 1988, sec. C.1, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 188100961).

³⁹ "Two decades of CBEF," *The Windsor Star*, May 22, 1990, sec. A.6, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 188854021).

Market Share

CBEF AM dial frequency 540 “is a coveted frequency, pushing CBEF's signal to London and up the shores of Lake Huron”⁴⁰ but based on the BBM⁴¹ data, it has always claimed comparatively low listenership. Between 1986 and 2010 (see Appendix 2) its listeners varied in numbers from 600 in 1998 and 2004 to 5800 in 1987, with the average over those 25 years being around 2000. The low of 600 happened only twice and the audience of 900 in 2003 was the only other time the station had fewer than 1000 listeners. On the other hand, the spring 1987 high of 5800 was an unusual spike, and the numbers rarely went over 3000, except in the fall of 1987 (3200), spring of 1988 (3700), and fall of 2006 (3300).

But even at a peak of over 3000 listeners, the station disputed those numbers:

"The BBM sample is a very unreliable figure," argues Grossman [the station manager], who estimates a more accurate count would be 10,000. Grossman bases her conclusion on the fact that the mother tongue of 40,000 Essex County inhabitants is French. Add another 30,000 francophones in the Detroit area, plus scads of people enrolled in French immersion programs....⁴²

Additionally, a 1990 estimate suggested that another 30,000 francophones on the Detroit area were also a part of the audience (McGraw, 1990).⁴³ Part of the argument about the importance of CBEF also has to do with francophones tending to listen to Radio-Canada in relatively high proportion: “According to BBM data for fall 1998, almost 15 percent of all Francophones in Canada listened to the Corporation's La Première Chaîne and La Chaîne culturelle.”⁴⁴ Moreover, those who do listen to CBEF tend to spend more time with the station⁴⁵, in other words, they are more faithful listeners. In the spring of 2005, for example, the average CBEF listener reported spending the record 17.5 hours a week tuned into CBEF. The perception of the station by the community is best summed up by the Detroit Free Press journalist, Bill McGraw in 1990: “At a time of increasing political turbulence in bilingual Canada over the rights and aspirations of its French citizens, CBEF forms the front line of linguistic defence in Southwestern Ontario.”⁴⁶ Nevertheless, in the Windsor-area market, according to the BBM data, CBEF traditionally captured less than 1 percent of the market, with that share being so low in some years that it was not even recorded. Benoit Quenneville, the Director of Radio-Canada Ontario Regions, challenges the accuracy of those numbers:

⁴⁰ Harry van Vugt, “Ratings don't tell whole story,” *The Windsor Star*, April 30, 1988, sec. C.1, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 188100961).

⁴¹ Formerly the Bureau of Broadcast Measurement.

⁴² Harry van Vugt, “Ratings don't tell whole story,” *The Windsor Star*, April 30, 1988, sec. C.1, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 188100961).

⁴³ Bill McGraw, “Bonjour, Ontario,” *Detroit Free Press*, July 2, 1990, sec. 1.E, 2.E, retrieved October 30, 2010 from Canadian Newsstand Major Dailies.

⁴⁴ CRTC, Decision CRTC 2000-2, <http://www.crtc.gc.ca/eng/archive/2000/DB2000-2.HTM>, accessed Decemebr 2010.

⁴⁵ Tom McMahon, “CKWW on top, Big 8 bouncing back,” *The Windsor Star*, December 5, 1986, sec. C.9, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 187668111).

⁴⁶ McGraw, 1990, 1E.

There is actually little data on listenership. The BBM ratings are not valid to us because their samples are too small. They don't target francophones when they do a sample, they target the population at large. So out of 150 forms they send out, once in a while they have 2 or 3 francophones – oh, we have good ratings. And once in a while they have nobody – we have no ratings at all.⁴⁷

Bilingualism and Official Languages

Whereas the shrinking minority francophone population in the area combined with low measured listenership seems to indicate an erosion of the need for local radio programming in French, the case of CBEF must be considered in the context of the Official Languages policy in Canada and the protection of public and cultural services in both official languages. In addition to the Official Languages Act, of particular interest here are two sets of documents: transcripts of hearings and decisions by Canadian Radio-Television and Telecommunications Commission (CRTC), and reports produced by the Office of the Commissioner of Official Languages. The usefulness of the documents is found in the fact that they distil policy and give a sense of how bureaucrats interpret the same policy, as well as in the fact that over when assessing these documents over the years, patterns and developments over time begin to surface.

Canadian Radio-Television and Telecommunications Commission (CRTC)

CRTC has generally recognized the importance of French-language media and has at times even commended the popularity Radio-Canada on its services noting that “The Canadian French-language media, both public and private, are remarkably successful with the French-speaking public” and that “Despite the abundance of American television programs available in French versions, Canadian French-language programs draw larger audiences than Canadian English-language television.”⁴⁸

However, at a 1988 hearing, CRTC took note of the perception that the francophone population outside of Quebec was under-served, citing a Fédération des francophones hors Québec representative who asserted that network programming made one wonder whether there were many French language and cultural activities outside of Montreal.⁴⁹

CRTC's continued in 2001⁵⁰:

...the Governor in Council assigns high priority to the fact that the presence of French-language broadcasting services in the French linguistic minority communities in Canada contributes not only to the vitality and development of

⁴⁷ Benoit Quenneville, interview by Irena Knezevic, March 22, 2011, recording.

⁴⁸ CRTC, Decision CRTC 2000-2, 2000. <http://www.crtc.gc.ca/eng/archive/2000/DB2000-2.HTM>, accessed Decemebr 2010, pg. 1.

⁴⁹ CRTC, Decision CRTC 88-181: Maintaining a Distinctive, High Quality CBC Radio Service, 1988. <http://www.crtc.gc.ca/eng/archive/1988/DB88-181.HTM>, accessed December 2010, pg. 24

⁵⁰ CRTC, Decision CRTC 2001-25: Achieving a Better Balance, Report on French-language Broadcasting Services in a Minority Environment, 2001. <http://www.crtc.gc.ca/eng/archive/2001/PB2001-25.htm>, accessed Decemebr 2010, pg. 25.

the Francophone communities, but also responds to the needs of all Canadians who wish to attain a better understanding of both official languages... (p. 6)

The same report, titled *Achieving a better balance: Report on French-language broadcasting services in a minority environment*, goes on to note in reference to the CBC/SRC:

French-language news and information programs are an excellent vehicle for reflecting the diversity of French-language communities throughout Quebec and Canada. The Corporation's regional stations have an important role to play in this regard. The Commission encourages the licensee to maintain and even enhance its coverage of the concerns of French-language communities in all parts of Canada in its national news and public affairs programming.

CRTC also expressed explicit expectations for the CBC/SRC to deliver such services. In 1988 it declared:

... the programs it [CBC] offers must reflect the interests and concerns of listeners in the various regions it serves across the country while providing a radio service that is of interest to the audience as a whole. As noted earlier, the problem is twofold: in Quebec, entire regions, such as the Mauricie, the Eastern Townships, James Bay, the Beauce and the Outaouais are served out of Montreal, Quebec City or Ottawa, while across the country Francophones living outside Quebec complain that network programs are too much oriented toward the province of Quebec... The Commission expects the CBC to ensure that its network programs more accurately reflect the different regions of the country.⁵¹

And the sentiment was still there in 2001:

The Commission expects the CBC to implement its commitments as well as the conditions and expectations stated in its licence renewal (CRTC Decision 2000-2), in particular "to take steps to ensure the fair representation, on the airwaves of regional stations and in network programs, of the issues and the concerns of all Francophone groups and communities across the country."⁵²

The expectation is reiterated in the licence renewal document of the same year:

During the public consultations, however, a number of representatives of Francophones from areas other than Quebec complained about the lack of coverage of their communities in the national programs broadcast on the networks. The Commission **expects** the CBC to improve its existing radio services by incorporating components from Francophone communities across the

⁵¹ CRTC, Decision CRTC 88-181: Maintaining a Distinctive, High Quality CBC Radio Service, 1988. <http://www.crtc.gc.ca/eng/archive/1988/DB88-181.HTM>, accessed December 2010, pg. 44.

⁵² CRTC, Decision CRTC 2001-25: Achieving a Better Balance, Report on French-language Broadcasting Services in a Minority Environment, 2001. Online at <http://www.crtc.gc.ca/eng/archive/2001/PB2001-25.htm>, accessed Decemembr 2010, pg. 37.

country in its news, public affairs and cultural affairs programs that are broadcast nationally. It also **expects** the French-language radio service to continue in its creative approach to establishing and operating more news bureaus elsewhere in Canada, as available resources allow.⁵³

Interest groups have echoed this sentiment, emphasizing the need and desire about the audience for local programming. For instance, in 1988 CRTC noted:

One of the major challenges facing the CBC's French-language networks is that of offering a national broadcasting service to an audience that is highly concentrated in Quebec while, at the same time, reflecting the interests and concerns of French-speaking listeners scattered throughout the nine other provinces. For several years, associations of Francophones outside Quebec have criticized the Corporation's French-language service for being too heavily oriented toward Quebec.⁵⁴

The two services are quite distinct and mean that program development must be maintained at the local level as well as a national level in order to service the audience's needs. Having locally relevant service was described in strong terms by more than one group:

Supporters of the French-language networks emphasized that these services are [TRANSLATION] "fundamental to our survival and very much appreciated", "an essential service [which] permits interaction among francophone communities" and a unifying force for Francophones from coast to coast. The Association canadienne française de l'Ontario (ACFO) had this to say: [TRANSLATION] "... as far as we are concerned, the CBC's French-language radio network is not a luxury but cultural oxygen. This applies to all of us, whether we live in large cities like Ottawa, Toronto, Sudbury or Windsor, or in small, isolated communities such as Alexandria, New Liskeard, Geraldton or Dubreuilville. Among the electronic media, the CBC's French-language radio service is one of our vital sources of cultural expression and sustenance." The Association canadienne-française de l'Alberta cited the excellent work of the CBC's French-language radio service on behalf of Francophones in northern Alberta and Collège Mathieu of Gravelbourg, Saskatchewan described the service the CBC provides to Francophones in its province as "absolutely essential."⁵⁵

However, even then CBC/SRC indicated that improvements to service were obstructed by finances. Similarly, CRTC noted some key observations in the *Achieving a better balance* report that include: "the CBC stations should be more representative of the realities of minority communities" and "steps should be taken to ensure that French-language services received in minority communities are more tailored to the realities of their target communities (e.g., more

⁵³ CRTC, Decision CRTC 2000-2, 2000, <http://www.crtc.gc.ca/eng/archive/2000/DB2000-2.HTM>, accessed Decemebr 2010, pg. 13.

⁵⁴ CRTC, Decision CRTC 88-181: Maintaining a Distinctive, High Quality CBC Radio Service, 1988, <http://www.crtc.gc.ca/eng/archive/1988/DB88-181.HTM>, accessed December 2010, pg. 22.

⁵⁵ Ibid. pg. 6

regional than national content).”⁵⁶ But the report also acknowledged the financial obstacles: “Some community groups believe the CBC lacks the funding to provide full coverage of communities where minorities are located. It is therefore crucial in their view, to establish a French-language radio development plan for minority communities in Canada.”⁵⁷ Still, in 1988 CRTC refused to let the CBC/SRC off the hook indicating that “Nevertheless, by virtue of its mandate, the Corporation is required to ensure that the country's regions are reflected in its network programs and that its originating stations adequately serve all of the territory they cover.”⁵⁸ The Commission then called for some creativity on the CBC/SRC's behalf: “One possibility would be for the CBC to broadcast in rotation a series of regionally-produced programs whose content would be a genuine reflection of regional issues and concerns.”⁵⁹

Office of the Commissioner of Official Languages reports (OCOL)

Although responsible for a range of official language concerns, the OCOL has over the years provided a great deal of insight into both feats and shortcomings of Canadian media-scape. It also provides a great deal of information that is relevant in understanding the issues that surround media. For instance 2006 OCOL statistics demonstrate that the support for bilingualism has been robust across the country and, in fact, has been steadily growing since the late 1980s. The data shows that vast majority – 71 percent – of Canadians are in favour of bilingualism for Canada (from 58 percent in Alberta to 91 percent in Quebec) as well as bilingualism for their province (70 percent, from 53 percent in Alberta to 85 in Quebec). Moreover, the overwhelming majority identified bilingualism as beneficial economically (helpful in global economy – 89 percent) and culturally (fulfilling – 84 percent).⁶⁰

A significant portion of what OCOL oversees, however, has to do with media, and paints a multifaceted picture of French-language media. A 2009 report titled *Shadows over the Canadian Television Landscape: The Place of French on the Air and Production in a Minority Context*, for example, provides a comprehensive portrayal of French-language television. It observes that, “Regional television production at Radio-Canada has experienced steady growth since 2000, reflecting the commitments made by broadcasters at the time of their most recent licence renewals. In 10 years, the volume of regional programming outside of Quebec has doubled.”⁶¹ It also observes that the CRTC's commitments to bilingualism need to be improved:

The Commissioner is of the opinion that the CRTC should clarify the concept of “regional reflection” by developing a clear policy to this end. The new policy

⁵⁶ CRTC, Decision CRTC 2001-25: Achieving a Better Balance, Report on French-language Broadcasting Services in a Minority Environment, 2001, <http://www.crtc.gc.ca/eng/archive/2001/PB2001-25.htm>, accessed Decemebr 2010, pg. 35

⁵⁷ Ibid. pg. 35

⁵⁸ CRTC, Decision CRTC 88-181: Maintaining a Distinctive, High Quality CBC Radio Service, 1988, <http://www.crtc.gc.ca/eng/archive/1988/DB88-181.HTM>, accessed December 2010, pg. 23

⁵⁹ Ibid. pg. 23

⁶⁰ Office of the Commissioner of Official Languages, *The Evolution of Public Opinion on Official Languages in Canada*, 2006, http://www.ocol-clo.gc.ca/html/evolution_opinion_e.php, accessed December 2010.

⁶¹ Office of the Commissioner of Official Languages, *Shadows over the Canadian Television Landscape: The Place of French on the Air and Production in a Minority Context*, 2009, http://www.ocol-clo.gc.ca/docs/e/televisionlandscape_paysagetelevisuel_e.pdf, accessed December 2010, pg. 24

should make a clear distinction between producing regional programs in the majority official language and producing regional programs in the minority official language. The licence conditions of the various Canadian broadcasting services should take into account this distinction. In addition, the CRTC should encourage all Canadian broadcasting services to make commitments with respect to the development and acquisition of French-language programs produced outside Quebec and English-language programs produced in Quebec, including a certain percentage produced outside of Montréal.⁶²

It is important to note that the need for the clarification of “regional reflection” in this context is also essential to the dilemma presented by the cuts to local programming in 2009 that ended Windsor’s local and French-language programming. The limits of a region in this context would better define the responsibilities of the CBC. The above quote is particularly interesting in light of the 2004 OCOL annual report that in fact praised CRTC:

1968 The *Broadcasting Act* stipulates the criteria governing accessibility of public services to all Canadians in their official language... Since 2001, the CRTC has no longer limited its definition of Francophone markets to individuals with French as a mother tongue, but also includes French speakers (that is, people who state they understand French), which measures markets more accurately. Finally, since 2003, the CRTC has been designated under section 41 of the *Official Languages Act* to meet specific reporting requirements.⁶³

The report also notes the importance of community media in general. It lists as one of Canada's principal achievements in the area of linguistic duality and communication: “Community radio and newspaper networks providing local service to minority communities.”⁶⁴ It also adds:

Community media in minority contexts serve as both information media and community institutions. Thus, as F. Harvey [at the *Institut québécois de recherche sur la culture*] suggests, “Beyond their traditional role, which is to inform, explain and criticize, do media in minority contexts not have to frequently defend and support?” This is in fact the special role they play.⁶⁵

In a 2008 report that deals specifically with official languages minority communities (OLMC) the OCOL also express concern that minority artist are underrepresented across the board, including the CBC/SRC: “A similar situation occurs at CBC/Radio-Canada, where Anglophone and Francophone OLMC [Official Language Minority Community] productions and artists have been granted very little air time over the years.”⁶⁶ However, even the OCOL recognizes that budget constraints present a challenge to the CBC/SRC despite its efforts to both provide

⁶² Ibid. pg. 31

⁶³ Office of the Commissioner of Official Languages, Annual Report: Special Edition, 35th Anniversary, 1969-2004, Volume I, 2005, http://www.ocol-clo.gc.ca/docs/e/2004_05_e.pdf, accessed December 2010, pg. 87.

⁶⁴ Ibid. pg. 86

⁶⁵ Ibid. pg. 86

⁶⁶ Office of the Commissioner of Official Languages, Federal Government Support for the Arts and Culture in Official Language Minority Communities, 2008, http://www.ocol-clo.gc.ca/docs/e/arts_culture_e.pdf, accessed December 2010, pg. 42

adequate service and increase collaboration between French and English-language services:

The CBC is regularly subject to budget cuts and must constantly defend its achievements... In addition to broadcasting in both official languages, the Corporation must continue to inform the official language minority communities throughout the country, produce and distribute their cultural programming, cover their special events and, above all, maintain a presence through its regional stations... Finally, we note that since the B and B Commission submitted its analysis, the CBC's English and French services have essentially evolved in isolation, without significant co-operation between them that would better reflect Canadian duality. However, over the past five years, greater efforts have been made in this area.⁶⁷

The report notes that OLMC arts and culture funding in general has been eroding since 2003-04, indicating that under the federal *Development of Official Languages Communities Program* between 2003-04 and 2004-05, funding dropped from nearly \$3 million to below \$2 million. Similarly, the *Interdepartmental Partnership with the Official Language Communities'* funding went from \$2.7 to \$1.8 million in the same period, with several contributors decreasing their contributions, and others, including the CBC/SRC ending their contributions all together.⁶⁸ The precarious climate in which OLMC cultural work finds itself on the one hand provides a broader perspective on the more general trends of which CBC/SRC's decisions seem to be only a part. On the other hand, however, this climate signals even greater pressure on the CBC/SRC to be the main, and in some cases only, provider of OLMC cultural services.

Funding cuts over the years

The insufficient French-language programming outside of Quebec has not been about simple lack of will on CBC/SRC's behalf. The repeated concerns over budget, in fact, have seemed to run counter to what the CBC/SRC goals. In 2001 the CRTC commended the CBC/SRC on its efforts:

The CBC, in fact, committed [at a 2000 hearing] to enhance the presence of regional production crews, entering into partnerships with independent producers to produce more programs that focus on francophones outside Montréal, and continuing to broadcast the weekly magazine-type information program *L'accent francophone*, which looks at the life of French-language communities outside Quebec. Finally, it will set up an advisory committee consisting of 12 regional representatives to advise it on the needs of regional communities and monitor implementation of the regional plan it proposed at the hearing...⁶⁹

⁶⁷ Office of the Commissioner of Official Languages, Annual Report: Special Edition, 35th Anniversary, 1969-2004, Volume I, 2005, http://www.ocol-clo.gc.ca/docs/e/2004_05_e.pdf, accessed December 2010, pg. 89

⁶⁸ Office of the Commissioner of Official Languages, Federal Government Support for the Arts and Culture in Official Language Minority Communities, 2008, http://www.ocol-clo.gc.ca/docs/e/arts_culture_e.pdf, accessed December 2010, pg. 18

⁶⁹ CRTC, Decision CRTC 2001-25: Achieving a Better Balance, Report on French-language Broadcasting Services in a Minority Environment, 2001, <http://www.crtc.gc.ca/eng/archive/2001/PB2001-25.htm>, accessed

This despite the financial difficulties clearly expressed in 2000 when the CBC/SRC applied for, and was denied, a permission to offer sponsorship opportunities:

The Commission is satisfied that the CBC does not intend to revert to on-air radio advertising. However, it is of the view that naming sponsors would add a commercial tone to the public radio sound and place in jeopardy the profound attachment of its listeners. In the Preamble, the Commission discussed its concerns regarding the impact of advertising on the CBC's programming choices...The Commission considers that the drawbacks would outweigh any benefits that might be derived. Accordingly, the Commission denies the CBC's request to broadcast brief sponsorship messages.⁷⁰

Budget constraints, funding cuts and the consequent job losses have more or less been permanent concerns for the CBC/SRC for decades. CBEF has been no exception, but the station's important cultural role ensured that, at times, it could be spared. In 1987, for instance, the *Windsor Star* reported: "The belt-tightening announced Tuesday by CBC apparently won't squeeze out any staff or programs at Windsor's CBE (1550 AM) or CBEF (540 AM)."⁷¹ The role marked by the stations' existence in the midst of an intense US radio-scape was also highlighted in the MP Herb Gray's letter to the CBC/SRC president at the time: "The two Windsor stations should not be subject to this kind of budget cut in view of the need for these stations to continue to provide a strong Canadian voice, in the face of a multiplicity of radio signals from the nearby Detroit, Michigan, area."⁷² But that same year Mina Grossman, the long-time station manager identified significant budget concerns: "When Howard McCurdy (NDP, Windsor-Walkerville) asked CBEF manager Mina Grossman at that same hearing what the station's greatest hurdle was, she didn't hesitate: 'We have budget problems, Mr. McCurdy. We have budget problems.'"⁷³

In 1990 CBEF again felt the cuts, but lost no jobs: "CBEF Radio, the French-language CBC affiliate, was hurt slightly by budget cuts, but no jobs or programming are in jeopardy, said station manager Mina Grossman."⁷⁴ In 1991, the local television programming funding was in question, and Windsor's peculiar location was revisited,

...nobody at the network could have foreseen how vehemently Windsor-area residents would protest its decision. Windsor has become a rallying....across Canada. Windsor...is a television market that is, in the estimation of one senior private broadcaster, 'totally dominated in a media sense by a market 50 times its

Decemebr 2010, pg. 25

⁷⁰ CRTC, Decision CRTC 2000-2, 2000, <http://www.crtc.gc.ca/eng/archive/2000/DB2000-2.HTM>, accessed Decemebr 2010, pg. 11.

⁷¹ "CBC radio squeeze minimal," *The Windsor Star*, March 5, 1987, sec. B.8, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 187731041).

⁷² Harry van Vugt, "Axe hanging over CBE," *The Windsor Star*, September 19, 1987, sec. F.2, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 187883361).

⁷³ *Ibid.*, F.2.

⁷⁴ Star Staff and Wire Services, "CBC cuts 3 jobs at Channel 9," *The Windsor Star*, March 9, 1990, sec. C.3, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 188786471).

size,' Detroit.'⁷⁵

By 1996, however, neither the location nor the long-standing francophone community were enough to keep CBEF flourishing:

... the area's French-language CBC service, Radio-Canada, will be reduced by as much as 60 per cent by next June... the French service would also appear to be a victim of small audiences... There are 113 full-time and 10 casual employees at CBC-Windsor. The breakdown in staffing is: 60 work at English TV operations, 29 at English radio, two at French TV (actually affiliated with the Ottawa bureau), and 22 at French radio.⁷⁶

The 1996 cuts were part of a decade of national downsizing across the CBC/SRC. As David Skinner writes:

For the CBC the 1990s were characterized by a litany of budget cuts. By 1998 the CBC's full-time staff was reduced to half its 1984 level and, calculated in real dollars, from 1990-1991 to 2000-2001 parliamentary appropriations fell by more than 20%... In the wake of these cuts, local news and public programming have been heavily cut...⁷⁷

In the case of CBEF, the cuts meant drastic changes in staff cuts and cancellation of programming.

The Sunday morning French-language radio program, CBEF Bonjour, will be chopped next June...Celine Pelletier, a 19-year reporter at CBEF, was told her job as municipal affairs reporter will be eliminated. But she will likely be able to bump into a reporting position locally. With eight employees after next June, CBEF will have fewer employees than when it first opened in Windsor in 1975. At that time, there were 10 staff members and two technicians.⁷⁸

Between 1996 and 2000, more staff members were hired, but in 2000 job losses were announced once again:

Heavy job-losses have hit the tiny staff of CBEF, Windsor's French-language radio station. Layoffs and retirements announced this week have cut the AM station from 15 to 10 full-time staff, with three part-timers. Reorganizing to save money, Radio-Canada is cancelling local noon- time programming in favour of a joint program for the four Radio- Canada stations in Ontario (Sudbury, Ottawa

⁷⁵ Ted Shaw, "CBET was a sacrifice Series: CBC closing of CBET," The Windsor Star, March 14, 1991, sec. A.1/FRONT, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 189175291).

⁷⁶ Ted Shaw, "CBC plans to slash area radio services," The Windsor Star, September 20, 1996, sec. A.1, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 23249556).

⁷⁷ David Skinner, "Television in Canada: continuity or change?" In David Ward, ed., Television and Public Policy: Change and Continuity in an era of Global Liberalization (New York: Taylor and Francis, 2008), 17.

⁷⁸ Ted Shaw, "Media: Windsor CBC loses 24 jobs," sec. A.1.

and Toronto along with Windsor)⁷⁹

The recurring cuts across the country had repercussions on a local level, particularly with regard to local programming for a linguistic minority in the case of francophones in Windsor. This meant that when the recent cuts arrived the community's heightened sensitivity to the changes certainly helped to launch it into action.

2009 Cuts

The most severe blow to the CBEF came in March 2009 when the CBC/SRC announced that "Windsor's French TV and radio station, CBEF, [would] effectively [be] shut down..."⁸⁰ CBC/SRC's own *Results-based Status Report: Implementation of CBC/Radio-Canada Official Languages Responsibilities 2008-2009* suggested that its relationship with official language minorities was improving: "The regional roots of OLMC programming have been enhanced on all platforms. The OLMCs' regional presence on national radio and television networks has improved in quality, reputation and tangible benefits for the communities that are being reflected and visited."⁸¹ Moreover, CBC/SRC seemed quite proud of this achievement:

Radio-Canada was more proactive in initiating a number of meetings with representatives of national OLMC groups on concerns, issues and joint projects, including distribution, Radio-Canada Musique, announcements regarding the financial recovery plan, and so on. The meetings contributed to enhancing the climate of trust.⁸²

The 2009-2010 *Evidence-Based Action Plan: Implementation of CBC/Radio-Canada Official Languages Responsibilities*, however, is careful to emphasize that all OLMCs-related efforts can only take place "within the bounds of our financial means."⁸³ This point remains at the centre of the current debate. The CBC/SRC's point is that funding has remained fairly consistent despite rising costs making for an effective decrease in resources available to the corporation.

The cuts, as *The Windsor Star* noted, meant that: "Windsor [would] be left with one French TV reporter and two in radio news, all of whom will answer to the Toronto-based regional show, *Ce Soir*. There will be no more local morning show on radio."

Soon, CBEF's supporters organized to prevent the cuts from taking place. "Students at E.J. Lajeunesse French high school rallied Friday morning in support of Windsor's French radio

⁷⁹ Star Staff and News Services, "SHOWBITS," *The Windsor Star*, April 29, 2000, sec. E.8, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 218786851).

⁸⁰ Ted Shaw, "CBC to spare local station," *The Windsor Star*, March 26, 2009, sec. A.3, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 1669029891).

⁸¹ CBC/Radio-Canada, *Results-Based Status Report: Implementation of CBC/Radio-Canada Official Languages Responsibilities, 2008-2009*, 2009, <http://www.cbc.radio-canada.ca/docs/languages/2009-2010/pdfs/Status-report-2008-09.pdf>, accessed December 2010, pg. 5.

⁸² *Ibid.*, 4.

⁸³ CBC/Radio-Canada, *Results-based Action Plan: Implementation of CBC/Radio-Canada Official Languages Responsibilities, 2009-2010*, 2009, <http://www.cbc.radio-canada.ca/docs/languages/2009-2010/pdfs/Action-plan-2009-10.pdf>, accessed December 2010, p. 3.

station CBEF. On Friday morning, about a hundred white crosses appeared on CBC Windsor's front lawn, along with a banner reading, 'SOS CBEF.'"⁸⁴ A few days later, they were joined by others: "Several politicians and about 300 supporters showed up Saturday at Place Concorde for a rally that called for a reversal of a recent decision to cut staff at the CBEF French-language radio station."⁸⁵ By June, SOS-CBEF had filed for an injunction and the Commissioner of Official Languages was involved:

The group SOS-CBEF, referring to the call letters of the AM station, petitioned the CBC to wait until the commission of official languages, Graham Fraser, completes an investigation into the matter. The group has now taken legal action, asking the Ontario Superior Court of Justice to prevent the discontinuation of service, at least until Fraser concludes his investigation.⁸⁶

The injunction request had a sense of urgency:

Nicole Larocque, the group's spokesperson, said more than 750 complaints have been filed with the commission since the cuts were unveiled in March... Lawyer Sean McGee of the Ottawa firm Nelligan O'Brien Payne estimated there are up to 35,000 francophones in Southwestern Ontario... If the injunction is not granted, CBEF will become a satellite for Toronto and Ottawa, reducing local content to major news coverage and three information inserts of five-to-10 minutes in length each morning.⁸⁷

By the time Fraser's 2009/2010 annual report appeared, the number of admissible complaints was at 876, comprising more than half of all the complaints Fraser's office received that year. But the Commissioner would not wait for all of the complaints to come in. In June 2009, Fraser informed the CBC/SRC that he would investigate and asked them to suspend the decision until the investigation is completed. Part of his concern had to do with CBC/SRC's failure to consult with the community:

The complainants describe the situation as follows: The CBC/Radio-Canada budget cut announcements made on Wednesday, March 25th, 2009, directly affect the Windsor region, specifically French Ontario, by abolishing programming made in Ontario, and more specifically the programs developed and broadcast on a local level in Windsor, "Bonjour le monde!", "Grands Lacs Café" and "Au détroit de la nuit." The complainants point out that the decisions made by CBC/Radio-Canada have an adverse effect on the vitality of the French-speaking community in Windsor. They maintain that the CBC/Radio-Canada did not

⁸⁴ Colin Zak, "Students rap French CBC cuts; Rally supports local station," *The Windsor Star*, April 18, 2009, sec. A.3, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 1682518861).

⁸⁵ Dave Battagello, "CBEF supporters tell CBC Radio to cancel cuts," *The Windsor Star*, May 11, 2009, sec. A.3, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 1709390401).

⁸⁶ Guy Dixon, "Windsor residents seek injunction against CBC," *The Globe and Mail*, June 19, 2009, sec. R.3, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 1751621941).

⁸⁷ Ted Shaw, "CBEF backers fighting cutbacks," *The Windsor Star*, June 20, 2009, sec. A.3, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 1756702181).

consult the French-speaking community of the Southwest Ontario region before making this decision and that it does not take into account the particular needs of the minority community of Windsor, where the rate of assimilation is among the highest in Canada.⁸⁸

The CBC/SRC responded assuring Fraser that the concerns are not going unheard but that their financial situation left them with no choice:

We understand that these decisions, when examined outside of the overall context, may appear inconsistent with our mandate. The financial crisis we are currently experiencing is major and unprecedented, however. CBC/Radio-Canada has proposed various measures to the Government, such as stable, multi-year funding or temporary access to lines of credit. Such measures could have minimised the impact of the crisis, or even averted it altogether, if taken in time. Unfortunately, our requests were turned down.⁸⁹

The CBC/SRC also seemed to suggest that provincial programming would just have to do as local:

French Services alone will have a \$34 million shortfall in 2009-2010. To address this situation, 86.3 per cent of the budget cuts have been assumed by the network and 13.7 per cent by the various regional stations. Because all of our programming and management strategies are integrated, it was impossible to completely spare our regional centres. The decisions we made were not arbitrary....We are confident that Windsor-area francophones will see themselves reflected in the regional programs broadcast in Ontario.⁹⁰

In July, the court decided against the injunction: “A[n Ontario] Superior Court judge rejected last week an application by supporters of Windsor's French-language CBC station to save local programming... Justice J. Templeton rejected the application on the basis that she did not have the jurisdiction to grant the injunction.”⁹¹

In June 2010, the Commissioner of Official Languages, Graham Fraser, released his report on the CBEF cuts. The CBC/SRC had refused to participate in the investigation arguing that its work was not Fraser's jurisdiction:

For a number of years now, CBC/Radio-Canada has maintained that issues affecting its programming are not subject to the *Official Languages Act* and may not be investigated by the Commissioner of Official Languages. According to

⁸⁸ Commissioner of Official Languages, Letter to the CBC (June 4), 2009, <http://www.cbc.radio-canada.ca/docs/languages/fraser.pdf>, accessed December 2010.

⁸⁹ CBC, Letter to the Commissioner of Official Languages (June 5), 2009, <http://www.cbc.radio-canada.ca/docs/languages/fraser2.pdf>, accessed December 2010, pg. 1

⁹⁰ *Ibid.*, 2.

⁹¹ “French CBC backers lose court case,” *The Windsor Star*, July 16, 2009, sec. A.2, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 1794022151).

CBC/Radio-Canada, such issues are exclusively regulated by the Canadian Radio-television and Telecommunications Commission under the *Broadcasting Act*.⁹²

Indeed, notice that the above noted 2008/2009 *Report* and 2009/2010 *Action Plan*, the CBC is careful to only refer to its “official language responsibilities” and say nothing of the Official Languages Act. The Commissioner took issue with this stance:

The Commissioner believes that he has authority to investigate since CBC/Radio-Canada must respect the obligations set out in Part VII of the *Official Languages Act* concerning the promotion of linguistic duality and the development of English and French linguistic minority communities in Canada. The Commissioner also disagrees with CBC/Radio-Canada’s definition of activities that fall under its programming.⁹³

Fraser found that the CBC/SRC had failed to comply with the Official Languages Act:

After investigating the complaints, the Commissioner concluded that CBC/Radio-Canada did not comply with the requirements under Part VII of the *Official Languages Act*. The Crown Corporation did not take into account the impact that its decision might have on the French-speaking community of Southwestern Ontario, nor did it take any measures to mitigate the negative effects of this decision on the vitality of the community.⁹⁴

By August 2010, he was taking the case to federal courts:

Commissioner of Official Languages Graham Fraser took legal recourse in Federal Court today against CBC/Radio-Canada, following his investigation into June 2009 budget cuts at the CBEF station in Windsor. “It is imperative that we clarify the public broadcaster’s obligations under the Official Languages Act,” said Fraser. “The principles set forth by the Court regarding the interpretation and application of the Act as concerns CBC/Radio-Canada will have an impact not just on the French-speaking communities of southwestern Ontario, but on all official language minority communities across Canada. This is an important step so that we may move forward on this issue.”

The Commissioner asked the Federal Court to confirm that he has the authority to investigate complaints filed against CBC/Radio-Canada related to Part VII of the Official Languages Act. He also asked the Court to confirm that CBC/Radio-Canada is obligated to consider the impact of its decisions on the development and vitality of any affected official language minority community. Part VII of the Official Languages Act requires that all federal institutions take active measures

⁹² Office of the Commissioner of Official Languages, *Beyond Obligations: Annual Report 2009-2010, Volume II*, 2010, http://www.ocol-clo.gc.ca/docs/e/ar_ra_2009_10_v2_e.pdf, accessed December 2010, pg. 60.

⁹³ *Ibid.*, 60.

⁹⁴ *Ibid.*, 39.

to support the development and vitality of official language minority communities. The court action comes after an investigation by the Office of the Commissioner of Official Languages in response to 876 public complaints relating to CBC/Radio-Canada's decision to cancel all programs produced and broadcast by the CBEF station in Windsor. In his investigation, the Commissioner concluded that CBC/Radio-Canada had not fulfilled its obligations under Part VII of the Official Languages Act because it failed to consult the French-speaking community in southwestern Ontario beforehand; it did not consider the adverse impact of its decision on the community; and it did nothing to try to mitigate the negative impact of its decision. CBC/Radio-Canada did not participate in the investigation.⁹⁵

CBEF continues to operate on a shoe-string budget. In August of 2010, some of the local programming was reinstated:

A group of local francophones is cheering the addition of an early-morning news program at CBEF-Windsor (AM 540), starting Tuesday. The 50-minute show, hosted by Charles Levesque, will air weekdays on the French-language station after the 6:30 a.m. regional news. It replaces three news inserts amounting to 20 minutes of local information following newscasts at 6:30, 7:30 and 8:30 a.m. A new producer will be hired as well, bringing staff complement at CBEF to three. The station was effectively turned into a satellite of Toronto in June 2009 when CBC/Radio-Canada laid off six of the eight employees and slashed most local programming.⁹⁶

The Commissioner of Official Languages found that the CBC failed to comply with subsection 41(2) of the Official Languages Act.⁹⁷

The federal court deliberations hinged on whether the court agrees with the Commissioner in that the CBC/SRC's programming is subject to the OLA, or if it sides with the CBC/SRC and finds the Crown corporation-produced content is subject only to the Broadcasting Act.

The recent court orders of May 29, 2012 stayed the proceedings to allow the CRTC to consider the CBC's renewal application as noted below:

THE COURT ORDERS that

1. The proceedings in this case are stayed to allow the CRTC to make its decision on the applications for renewal of the Corporation's licences and on any complaint

⁹⁵ Office of the Commissioner of Official Languages, Commissioner of Official Languages takes legal recourse against CBC/Radio-Canada, 2010, <http://news.gc.ca/web/article-eng.do?m=/index&nid=552359>, accessed December, 2010.

⁹⁶ Ted Shaw, Ted, "Local French-language radio gets small boost," *The Windsor Star*, September 4, 2010, sec. B.3, retrieved October 30, 2010, from Canadian Newsstand Major Dailies (document ID: 2131426681).

⁹⁷ Official Languages Act, RSC, 1985, c 31 (4th Supp).

or intervention by the applicants in respect of the decrease in local and/or regional programming hours broadcast by CBEF Windsor;

2. The continuation of any examinations already scheduled and the hearing on the merits set to begin on October 15, 2012, are adjourned *sine die*;

3. Once the CRTC has made its decision regarding the applications for renewal of the Corporation's licences, it will be open to any of the parties, upon application, to ask the Court to extend or put an end to the stay of proceedings, to resume examining the record or to dismiss this application, having consideration for the applicable laws and all of the legal principles applicable in this case.⁹⁸

⁹⁸ The Commissioner of Official Languages of Canada and Dr Karim Amellal v. CBC/Radio-Canada, T-1288-10 (On, 2012), p. 41.

Where does French-language radio broadcast programming fall?

Minority language rights are increasingly contentious in a global context. In “Reflections on the Evolution of Language Rights.” Stephen Tierney considers “moral claims for language rights” in Europe and the attempts to formalize these rights.⁹⁹ Tierney asserts that francophone communities in Canada outside of Quebec much as “language groups in Switzerland, Gaels in Scotland and Ireland...are unlikely to frame language claims through the narrative of nationalism.”¹⁰⁰ The case of minorities in Europe and around the world, broadcasting is most frequently digital or part of a community radio station.¹⁰¹ Official linguistic minorities in Canada possess a distinct advantage, because they are afforded a permanent place on the CBC, however the debate over the role of community versus language makes the extent of these rights unclear. This larger discussion of smaller communities of linguistic minorities is particularly instructive for the case of Canadian francophones outside of Quebec and anglophones in Quebec. Without the large concentrations that could potentially make secession a serious consideration the demand for minority rights becomes central. The international discussion of language rights rests within the larger consideration of the nation state and twentieth century normative political developments.

The case of language rights in Canada predates modern concerns about new linguistic minorities as recent immigrants as argued by Will Kymlicka due to their recent voluntary migration.¹⁰² Johanne Poirier contends that the rights accorded to linguistic minorities such as the anglophones in Quebec, francophones in New Brunswick and francophone communities outside Quebec in Canada are part of a fragile balance maintained through what she describes as “federalism bipolaire” in which the divisions created by provinces and territories help to prevent further

⁹⁹ Stephen Tierney, “Reflections on the Evolution of Language Rights,” In André Braën, Pierre Foucher and Yves Le Bouthillier, eds., *Languages, Constitutionalism and Minorities / Langues, Constituionalisme et minorities* (Markham, ON.: LexisNexis Butterworths, 2006), 4.

¹⁰⁰ Ibid.

¹⁰¹ Agnete Suhr , “Internet radio as a mean to construct community,” Oliveira, M.; Portela, P. & Santos, L..A., eds.(2012)ECREA Radio Research Section Congress: ‘Radio Evolution: technology, contents, audiences’ September, 14-16, 2011, Braga, Portugal; Eduardo Vicente, “Free, Pirate, Community – the representation of identities on FM radios in São Paulo/Brazil,” Oliveira, M.; Portela, P. & Santos, L..A., eds.(2012)ECREA Radio Research Section Congress: ‘Radio Evolution: technology, contents, audiences’ September, 14-16, 2011, Braga, Portugal; Valquíria Guimarães da Silva, “Radio, Citizenship and Social Identity,” Oliveira, M.; Portela, P. & Santos, L..A., eds.(2012)ECREA Radio Research Section Congress: ‘Radio Evolution: technology, contents, audiences’ September, 14-16, 2011, Braga, Portugal; Verena Molitor , “The German-speaking radio in Silesia (Poland) ,” Oliveira, M.; Portela, P. & Santos, L..A., eds.(2012)ECREA Radio Research Section Congress: ‘Radio Evolution: technology, contents, audiences’ September, 14-16, 2011, Braga, Portugal; Irati Agirreazkuenaga Onaindia, Basque and Gael speaking radio journalists: background and work patterns,” Oliveira, M.; Portela, P. & Santos, L..A., eds. (2012)ECREA Radio Research Section Congress: ‘Radio Evolution: technology, contents, audiences’ September, 14-16, 2011, Braga, Portugal; Antonio Adami ,T”he Brazilian culture through the radio waves,” Oliveira, M.; Portela, P. & Santos, L..A., eds.(2012)ECREA Radio Research Section Congress: ‘Radio Evolution: technology, contents, audiences’ September, 14-16, 2011, Braga, Portugal; Urszula Doliwa ,The presence and the future of community radio in Poland,” Oliveira, M.; Portela, P. & Santos, L..A., eds.(2012)ECREA Radio Research Section Congress: ‘Radio Evolution: technology, contents, audiences’ September, 14-16, 2011, Braga, Portugal.

¹⁰² Will Kymlicka, “Immigrant Integration and Minority Nationalism,” In Michael Keating and John McGarry, eds., *Minority Nationalism and the Changing International Order* (Oxford: Oxford University Press, 2001), 61 as cited in Tierney, 2006, 12.

polarization better the linguistic groups.¹⁰³ Finally John Packer asserts that “the field of radio and television broadcasting provides a good example of how good governance is required to address the varying needs of linguistic minorities and give practical effect to their rights.¹⁰⁴ This sense of “good governance” has been taken to heart in the case of CBEF in Windsor, where the reduction of local programming on a national scale resulted in the elimination of local French-language programming.

The crux of the court case brought forward by the Commissioner of Official Languages, Graham Fraser, has to do with the question of whether the CBC/SRC programming is subject to the *Official Languages Act* of 1988 as the Commissioner argues, or if it is only subject to the *Broadcasting Act* of 1991. However, the case is only partly about jurisdiction. A closer look reveals that the case is really about a range of issues that include the cultural rights of official language minorities, broadcasting regulation regarding local programming, and issues of funding for public broadcasting. Consequently, the court's decision may have far-reaching consequences and understanding the extent of legal and policy implication is paramount here. As Pierre Coulombe notes, language debates in Canada put our deepest political convictions to the test and deepen much more than just linguistic divisions.¹⁰⁵

Justice Martineau, in the decision of *The Commissioner of Official Languages of Canada and Dr. Karim Amellal v CBC/RADIO-CANADA* noted that the parties had a right to be heard, but allowed the next stage of the discussion to continue over the course of the CBC licence renewal conducted by the CRTC.

In my opinion, the applicants therefore have a legitimate expectation to be heard and to express their point of view within the process that has been initiated to have the Corporation's licences renewed. The applicants also have a legitimate expectation that the CRTC will conduct an analysis of the impact on the OLMC of southwestern Ontario of its potential decision to renew the licence of the radio programming undertaking operated by the affiliated CBEF Windsor station. At that stage, it can be assumed that the CRTC will pay particular attention to the Commissioner's findings in his final investigation report from June 2010 concerning the negative impact of the 2009 budget cuts on the development of the OLMC of southwestern Ontario.¹⁰⁶

The CBC/SRC is defending itself against accusations of under-serving an official language minority community by decrying its funding situation, which has since the mid-1990s taken a sharp drop. The Commissioner feels that a minority community of such long and significant

¹⁰³ Johanne Poirier, “Protection constitutionnelle des minorités linguistiques: un exercice-fiction de transposition du modèle fédéral belge au Canada,” In André Braën, Pierre Foucher and Yves Le Bouthillier, eds., *Languages, Constitutionalism and Minorities / Langues, Constitutionnalisme et minorités* (Markham, ON: LexisNexis Butterworths, 2006), 185.

¹⁰⁴ John Packer, “Towards a Consistent Approach in the Management of Linguistic Diversity: Reflections from Practise,” in André Braën, Pierre Foucher and Yves Le Bouthillier, eds., *Languages, Constitutionalism and Minorities / Langues, Constitutionnalisme et minorités* (Markham, ON: LexisNexis Butterworths, 2006), 102.

¹⁰⁵ Pierre A. Coulombe, *Language Rights in French Canada* (New York: Peter Lang, 1995).

¹⁰⁶ *The Commissioner of Official Languages of Canada and Dr Karim Amellal v. CBC/Radio-Canada*, T-1288-10 (On, 2012), p. 37.

history should be better served with local broadcasting services. Much more, of course, is at stake. The decision will have implications for all linguistic minority groups in the country and perhaps even beyond. As Linda Cardinal and Marie-Ève Hudon point out, “The official language minorities represent only a small percentage of the Canadian population... Regardless of their demographic weight, the issue and status of these minorities has always been intimately related to that of the future of the country.”¹⁰⁷ At the other end of the argument is the independence of the nation's broadcaster that derives part of its credibility from the fact that it operates at arm's length from the government. If the courts decide that the Commissioner, who is a government appointee, has jurisdiction over the CBC/SRC, then the broadcaster's independence is called into question.¹⁰⁸

The examination of the documents surrounding this case suggests the Commissioner's discontent, while valid and carefully considerate of linguistic minorities, the place of the CBC is not fully contextualized. Specifically, the CBC/SRC's hands are indeed mostly tied when it comes to producing quality local programming for the simple reason of its increasingly precarious funding situation. This is the case whether the claim that their programming is not subject to the *Official Languages Act* is misguided or not. In fact, we will argue, CBEF programming already fulfils the requirements of the *Act*. The Commissioner's request, on the other hand, that better local broadcasting be provided to official language minority communities is neither new nor extravagant, but the provision of resources for such programming should come from the federal government to ensure that the CBC/SRC can fulfil its mandate. Specifically, earmarked funding potentially through the Ministry of Canadian Heritage needs to be allocated for such purpose; CBC/SRC can only then be held responsible to provide sufficient local programming across the country in both official languages.

There are two acts to consider, the *Official Languages Act* (OLA)¹⁰⁹ of 1988 and the *Broadcasting Act* of 1991 (BA). We also consider the financial circumstances that surround the case and the cultural rights debates within which this case is taking place. We do so by giving special attention to the 2009 CRTC report on linguistic minority broadcasting services and the 2003 report by the Standing Committee on Canadian Heritage chaired by Clifford Lincoln (the Lincoln Commission). The report, titled *Our Cultural Sovereignty: The Second Century of Canadian Broadcasting*, depicts the funding trends and foreshadows the tensions between budget capacity of the CBC/SRC and the local programming expectations among Canadians. Finally we briefly look at the Standing Senate Committee on Official Languages' 2009 report *Francophone Arts and Culture: Living Life to the Fullest in Minority Settings*.

¹⁰⁷ Linda Cardinal and Marie-Ève Hudon, *The Governance of Canada's Official Language Minorities: A preliminary study* (Ottawa: Office of the Commissioner of Official Languages, 2001), 15.

¹⁰⁸ More broadly, Monahan suggest that with respect to cultural development “On the whole, the federal government's role involves only the spending power – the ability to fund federal institutions and programs such as the Canada Council, the National Film Board and the national museums.” Patrick J. Monahan, *Culture and the Canadian Constitution* (Toronto: Common Agenda Alliance for the Arts, 1993), 32.

¹⁰⁹ In Ontario, the 1986 French Language Services Act is also significant. It guarantees provincial agencies' services in French to communities where at least 10% of the population is Francophone as well as making both languages the official languages of courts and legislature, although it does not make the province officially bilingual. However, with CBC being a federal institution, the act does not apply to the broadcaster.

Context

The preceding contextual review provides some context for the CBEF case, but the significance of the official language debate in Canada as a political, legal and cultural sore spot cannot be overstated.¹¹⁰ The preservation of French language and francophone culture has been a contentious issue the conquest of New France in 1759, but certainly since 1867 and the *British North America Act* that marked the birth of Canada. That act provided some guarantees to French Canadians¹¹¹, but as some analysts show, most of the provisions were focused on religious and not linguistic rights.¹¹² Nevertheless, the act indicated that Canada was founded by two distinct nations with equal cultural rights. However, francophones in Quebec were outnumbered by the anglophones all along, which was compounded by the proximity and cultural and economic influence of the United States. This fertilized the protectionist sentiments among francophones in Quebec. Underneath this well publicized tension between Quebec and the rest of Canada lies the overshadowed issue of linguistic minorities, particularly the anglophones in Quebec and francophones outside of Quebec.

In Ontario, the francophone minority was a long established group, especially in Southwestern Ontario where “Immediately prior to Confederation, approximately one-third of the population of Essex County was of French origin.”¹¹³ Between 1830 and 1930 the Franco-Ontarians were joined by more francophones, who were moving from Quebec to Ontario to farm or (especially in the case of Northern Ontario) work in mines.¹¹⁴ Nevertheless, “French Canadians in Ontario never exceeded ten percent of the province's population.”¹¹⁵ In the early 20th century “Ontario's Francophones bore the brunt of the government's assimilationist policies, which notably featured a total ban on French-medium schooling in the province.”¹¹⁶ Despite this, by 1971 half of all

¹¹⁰ For a thorough, multidimensional look at the language issue in Canada see Joseph Eliot Magnet, ed., *Official Languages of Canada: New Essays* (Markham, ON: LexisNexis, 2008). This collection of essays provides historical accounts, legal assessments, and theoretical examinations of official languages and the surrounding legislation. For an overview of French in Canada see Maeve Conrick and Vera Regan, *French in Canada: Language Issues* (Bern: Peter Lang, 2007). For chronology of more recent legislative and judicial events see Grant Purves, *Official Bilingualism in Canada* (Revised Edition). 86-11E (Ottawa: Research Branch of the Library of Parliament, 1992). For comparative assessments and overview of language policy in Canada and Ontario see Michael A. Morris, ed., *Canadian Language Policies in Comparative Perspective* (Montreal-Kingston: McGill-Queen's University Press, 2010).

¹¹¹ The act also includes section 133, which states: “Either the English or the French Language may be used by any Person in the Debates of the Houses of the Parliament of Canada and of the Houses of the Legislature of Quebec; and both those Languages shall be used in the respective Records and Journals of those Houses; and either of those Languages may be used by any Person or in any Pleading or Process in or issuing from any Court of Canada established under this Act, and in or from all or any of the Courts of Quebec. The Acts of the Parliament of Canada and of the Legislature of Quebec shall be printed and published in both those Languages

¹¹² See for instance Lise Kimpton, *The Historical Development and the Present Situation of the French Canadian Community of Ontario*, C.R.E.M.E. Working paper, (Ottawa: Center for Research on Ethnic Minorities, Carleton University, 1984), 9; Michael D. Behiels, “Contested ground: The state and language rights in Canada 1760-2000,” In Joseph Eliot Magnet, ed., *Official Languages of Canada: New Essays* (Markham, ON: LexisNexis, 2008).

¹¹³ Richard Joy, *Canada's Official-Language Minorities*. (Montreal: C.D. Howe Research Institute, 1978), 36.

¹¹⁴ Raymond Mougeon, “Sociolinguistic Heterogeneity: The Franco-Ontarians,” In Albert Valdman, ed., *French and Creole in Louisiana* (New York: Plenum Press, 1997), 287-313.

¹¹⁵ Kimpton, 1984, 4.

¹¹⁶ Mougeon, 1997, 289.

“French Canadians” living outside of Quebec remained in Ontario, a number not insignificant given that one-quarter of all francophones in Canada were living outside of Quebec at this time.¹¹⁷ Despite these numbers, “many of Ontario’s French-speaking immigrants settled in localities where Anglo-Ontarians held much of the local political and economic power. Thus, one can understand why, over the years, Franco-Ontarians have acquired, out of sheer necessity, a good knowledge of English.”¹¹⁸ Due to economic and social pressures, most were shifting to English even at home, and in fact in the 1970s fewer than one half of them spoke French at home.¹¹⁹ In Canada the trend, also known as “language shift” is not shared with anglophones:

...the Anglophone minority in Quebec is the only one where the percentage of persons having the minority language as their home language is higher than the number of persons having it as their mother tongue, whereas elsewhere in Canada, Francophones are in the reverse situation. This makes the situation of Francophones much more difficult, requiring well-integrated and coordinated government action to compensate for their numerical weakness¹²⁰

However, Cardinal and Hudon’s assertion about the anglophone minority in Quebec must be revised in light of the generations of anglophones in Quebec who do not have access to English education and when they do only within French immersion programs. Effectively there is “imposed” language-shift and possibly due to the forced nature the bilingual language skills exist, but is there a willingness to migrate languages when legal impositions have made the transition easy?

The language shift in Ontario was also identified by Kimpton whose 1984 analysis of French-Ontarian communities showed that the shift was greater the further away a community was from the Quebec border and where concentration of francophones was lower.¹²¹ Concomitantly, the language shift in Southern Ontario from the 1960s through the 1980s was greater than 50%. Additionally the shift was amplified by the urbanization trend in the mid to late twentieth century, and the growth of linguistically mixed marriages in Ontario. In 90percent of the linguistically mixed marriages, “the French-speaking spouse reports communicating in English at home.”¹²² This shift in the home and the workplace for the French-speaking community has been viewed as a threat and has slowly worked to erode the strength of the minority communities. However, the effect of sign laws, restrictive legal access to English schools and regulation of the language of work in Quebec the decimation of the Anglophone minority communities outside of Montreal have been far-reaching and all but complete.

Shortly after World War Two, as the Quiet Revolution of cultural self-determination gains momentum in Quebec, measures were taken against linguistic assimilation and legal and cultural

¹¹⁷ Joy, 1978.

¹¹⁸ Mougeon, 1997, 289.

¹¹⁹ Joy, 1978.

¹²⁰ Cardinal and Hudon, 2001, 15.

¹²¹ See also Raymond Mougeon and Edouard Beniak, “Bilingualism, language shift, and institutional support for French: the case of the Franco-Ontarians,” *International Journal of the Sociology of Language* 105/106 (1994): 99-126.

¹²² Mougeon, 1997, 293.

changes start to take place including the establishment of French-language schools in Ontario, and the federal events previously described, namely the introduction of the OLA and the events that surrounded it. The pinnacle of the battle was reached in 1982 when the inclusion of linguistic rights into the *Charter of Rights and Freedoms* entrenched them into Canadian Constitution. Though prompted by the Quiet Revolution and its political heft, Sébastien Grammond suggests that the federal government was partly motivated to promote linguistic dualism as a way to undercut Quebec nationalism by strengthening the link between the federal government and the French-speaking minorities outside of Quebec, and thus weakening their connection to Quebec government.¹²³

Whatever the case, the linguistic situation of Franco-Ontarians greatly improved between the 1960s and 1980s. Although Mougeon points out that the measures did not go as far as those in New Brunswick, where nearly half the population is francophone, “they nonetheless constitute significant linguistic rights that many linguistic minorities in the world would probably regard with envy.”¹²⁴ The events taking place during this time on the federal level were incredibly important, but were also challenging to Franco-Ontarians. The Quiet Revolution brought about the emergence of Quebecois identity, which excluded French Canadians outside of the province, so that francophone communities elsewhere developed “a consciousness of their own.”¹²⁵

A great deal of the literature and the legal developments that consider linguistic minority concerns in Canada have addressed the issue of education¹²⁶, which for presumably obvious reasons has been the most crucial issue in cultural preservation. Following education, access to Federal services and judicial proceedings are also topics that have received much attention. There is, however, very little written about media and linguistic minorities. Literature that does look at Franco-Ontarians has also often focused on Northern Ontario¹²⁷ where more than half of Ontario's francophones reside. Significantly less attention has been paid to the anglophone minority in Quebec and francophone minorities elsewhere in the country, including those residing in Southwestern Ontario.

The debates surrounding the legal aspects of official languages often discuss the tensions between legal protections of individual rights versus collective or communal rights.¹²⁸ Patten also indicates that public and legal recognitions of a language serve three central interests – communication, symbolic affirmation, and identity promotion – but that identity rights are limited as there are many various forms of identity (not just linguistic) and they cannot all be

¹²³ Sébastien Grammond, *Identity Captured by Law: Membership in Canada's Indigenous Peoples and Linguistic Minorities* (Montreal and Kingston: McGill-Queen's University Press, 2009), 161.

¹²⁴ Mougeon, 1997, 290.

¹²⁵ Kimpton, 1984, 22.

¹²⁶ See, for example, Chad Gaffield, *Language, Schooling, and Cultural Conflict: The Origins of the French-Language Controversy in Ontario* (Montreal-Kingston: McGill-Queen's University Press, 1987).

¹²⁷ Sheila McLeod Arnopoulos, *Broadcasting for the Official Language Minorities: The Need for a Community Development Approach*. (Report submitted to the Task Force on Broadcasting, 1985); Sheila McLeod Arnopoulos, *Voices from French Ontario: A Vivid Portrayal of the French-speaking Community of Nouvel-Ontario* (Montreal-Kingston: McGill-Queen's University Press, 1982); Conchita Sarbadhikari, *A Study of the Sociocultural Needs of the French-speaking Minority in Northwestern Ontario* (A Report for the Program for Official Language Minority Groups, 1975).

¹²⁸ Magnet, 2008; Coulombe, 1995.

officially recognized at all times.¹²⁹ Considerations are also given to legal protections of substantive, rather than formal equality,¹³⁰ which also implies that language rights in Canada have to be positive rights – rights that require positive action on behalf of the state. In light of growing cultural influence of the English language in business, international politics and media (both traditional and the World Wide Web) the French language in Canada is perceived as being under constant threat, so some see the positive rights approach and aggressive policy promoting French as necessary.¹³¹ OLA reflects this position and in November 2005 OLA was amended to emphasize the government's obligation to promote duality. “Although the federal government's commitment as stated in Part VII of the *Official Languages Act* remains the same, it is now accompanied by an obligation to take positive measures to implement it, and by right to take proceedings before a court of law in case of an alleged breach of this part of the *Act*.”¹³²

This positive approach has also been accompanied by initiatives such as the 2003 *Action Plan for Official Languages* that included \$751 million in funding for arts and culture. Importantly, none of that money went to the CBC/SRC.¹³³ That was followed by the *Roadmap for Canada's Linguistic Duality 2008-2013: Acting for the Future*, which identified priority areas (health, justice, immigration, economic development, and arts and culture). It dedicated funding for music and book publishing, but did not address broadcasting except for a passing mention of wanting to ask the CRTC to assess whether the broadcasting system is serving linguistic communities adequately.¹³⁴

Still, the legal nature of linguistic relations and government commitment remain vague. The Charter is vague as to “what exactly constitutes 'services' and 'communication'.”¹³⁵ The *Broadcasting Act* only guarantees services if public funds are available. Even though the 1988 OLA includes sections 41 and 42, which insist on the federal government's explicit commitment to linguistic duality, “The text of the Act does not specify whether the commitment of the Government of Canada is imperative or symbolic.”¹³⁶ As Joseph Eliot Magnet describes:

Canada lacks a clear, concise explanation of the principles underlying its official languages policy. Government has not filled this void. Given the Supreme Court's ruling that language rights are the products of political compromise devoid of principle, the Courts have backed themselves into a doctrinal corner. It is unlikely

¹²⁹ Alan Patten, “Political Theory and language Policy,” *Political Theory*, 29, no. 5 (2001): 691-715.

¹³⁰ Substantive equality is result-orientated, rather than process-oriented. In other words, when substantive equality includes recognition that equal treatment can produce differing results and that difference-blind policies and laws are not necessarily difference-neutral.

¹³¹ See, for example, Linda Cardinal, “Linguistic peace: A time to take stock” *Inroads*, 23 (2008): 62-70.

¹³² Canadian Heritage, *Guide for Federal Institutions: “Official Languages Act,”* Part VII – Promotion of English and French (Ottawa: Government of Canada, 2007), 6.

¹³³ Cardinal and Hudon, 2001, also indicate that in 1998-1999 Department of Heritage spent over \$220 million on official language programs, in addition to \$255 million for providing federal services in both languages.

¹³⁴ Canadian Heritage, *Roadmap for Canada's Linguistic Duality 2008-2013: Acting for the Future* (Ottawa: Government of Canada, 2008), <http://www.pch.gc.ca/pgm/slo-ols/pubs/08-13-LDL/102-eng.cfm>, accessed March 7, 2011.

¹³⁵ Richard Goreham, *Language Rights and the Court Challenges Program: A Review of Its Accomplishments and Impact of Its Abolition* (A report submitted to the Commissioner of Official Languages, 1992) viii.

¹³⁶ Linda Cardinal and Marie-Ève Hudon, *The Governance of Canada's Official Language Minorities: A Preliminary Study* (Ottawa: Office of the Commissioner of Official Languages, 2001), 15.

that the judges will be able to escape into clear doctrine or stirring symbolism in this generation. Academic doctrine remains equally unsatisfactory. The commentators toil in the tradition of explaining the work of the courts, which preoccupies them with a dead-end jurisprudence. Or they levitate in ultratheoretical logicalizations, cut loose from the propulsion driving official languages policy — good intercommunal relations and national stability.¹³⁷

Moreover, OLA's objective is not language alone, but rather culture, which is an even more slippery term. “The Supreme Court of Canada has, in recent years especially, cast doubt on the wisdom of recognizing indeterminate and amorphous concepts like 'inflation' or 'environment' as a basis of legislative authority. 'Culture' would appear to be at least as indeterminate as these other matters and would be inconsistent with this emerging Supreme Court Jurisprudence”¹³⁸

Finally, the effectiveness of OLA depends on both the willingness and on resource availability, so its application varies, which is at times interpreted “as evidence that the government's commitment to linguistic duality is waning.”¹³⁹ While the government's action plans and investments into programs that attempt to remedy this are commendable, it is important to note that the CBC/SRC has not directly benefited from those programs although it is identified as one of more than thirty federal organizations “with Special Reporting Obligations to Canadian Heritage.”¹⁴⁰ To add to the confusion and vagueness, there is no clear definition as to the scale of the obligation and locality of service – such as federal, regional, or local. Moreover, while several bodies are responsible, “the Department of Canadian Heritage and the Treasury Board are the ones that are supposed to have a special concern for the issue of the vitality and development of official language minorities”¹⁴¹ and they consult with a number of agencies and institutions on this issue. Despite its reporting obligation, the CBC/SRC is *not* considered a consultative or decision-making body, although another crown corporation – Canada Post – is.¹⁴²

In order to try and clarify the legal implications of such vagueness, an examination of the two acts central to this case, the BA and the OLA is essential.

The Broadcasting Act

The BA makes only one reference to the OLA, in section 46 subsection (4), and the reference is made specifically in relation to the CBC/SRC. The document asserts: “In planning extensions of broadcasting services, the Corporation [CBC] shall have regard to the principles and purposes of the *Official Languages Act*.” “Having regard” is open to interpretation and does not imply that

¹³⁷ Joseph Eliot Magnet, “Language rights theory in Canadian perspective” In Thomas Ricento and Barbara Burnaby, eds., *Language and Politics in the United States and Canada: Myths and Realities* (Mahwah, NJ: Lawrence Erlbaum, 1998), 202. In reference to the Supreme Court, Magnet is talking about the 1986 *MacDonald v. City of Montreal* case concerning the validity of court summons in one or the other official language, see <http://scc.lexum.org/en/1986/1986scr1-460/1986scr1-460.html>

¹³⁸ Monahan, 1993, 10.

¹³⁹ Intergovernmental Affairs, Privy Council Office, *Canada's Linguistic Duality: A Framework to Manage the Official Languages Act* (Ottawa: Government of Canada, 2005), 1.

¹⁴⁰ *Ibid.*, 3.

¹⁴¹ Cardinal and Hudon, 2001, 16.

¹⁴² *Ibid.*, 25.

the CBC/SRC is subject to OLA.

BA's expectations for the Canadian broadcasting system in general and more specifically for the CBC/SRC is not any more helpful here since, as defined by the BA, those expectations are decidedly vague, albeit comprehensive.

Section 3 subsection (1) of the BA describes the requirements for the Canadian broadcasting system as follows:

- i) the programming provided by the Canadian broadcasting system should:
 - (i) be varied and comprehensive, providing a balance of information, enlightenment and entertainment for men, women and children of all ages, interests and tastes,
 - (ii) be drawn from local, regional, national and international sources,
 - (iii) include educational and community programs,
 - (iv) provide a reasonable opportunity for the public to be exposed to the expression of differing views on matters of public concern, and
 - (v) include a significant contribution from the Canadian independent production sector;

Notice that there is a single reference to local programming (under ii) but this provision does not specify how much local programming is deemed necessary.

With respect to the CBC/SRC, paragraphs (l) and (m) in 3(1) describe its mandate as follows:

- (l) As the national public broadcaster, CBC/Radio-Canada should provide radio and television services incorporating a wide range of programming that informs, enlightens and entertains;
- (m) the programming provided by the Corporation should
 - (i) be predominantly and distinctively Canadian,
 - (ii) reflect Canada and its regions to national and regional audiences while serving the special needs of those regions,
 - (iii) actively contribute to the flow and exchange of cultural expression,
 - (iv) be in English and in French, reflecting the different needs and circumstances of each official language community, including the particular

needs and circumstances of English and French linguistic minorities, strive to be of equivalent quality in English and French,

(v) contribute to shared national consciousness and identity,

(vi) be made available throughout Canada by the most appropriate and efficient means and as resources become available for the purpose, and

(vii) reflect the multicultural and multiracial nature of Canada.

Notice that here references are made to regional¹⁴³ and national programming, and *not* to local programming. Section 3, subsection (1) paragraph (d) asks of the Canadian broadcasting system (in general, not just the CBC/SRC) that:

(iii) through its programming and the employment opportunities arising out of its operations, serve the needs and interests and reflect the circumstances and aspirations, of Canadian men, women and children, including equal rights, the linguistic duality and multicultural and multiracial nature of Canadian society and the special place of aboriginal peoples within that society

However, the BA also acknowledges practical limitations and in 3(1) points that:

(k) a range of broadcasting services in English and in French shall be extended to all Canadians as resources become available.

Section 46 specifies the Objects and Powers of the CBC/SRC for the purpose of fulfilling the mandate as outline in 3(1) (l) and (m). The section makes no reference whatsoever to local programming although subsection (2) notes the CBC's power to “establish an international service” and subsection (4), as noted above, asks that the CBC “In planning extensions of broadcasting services, the Corporation shall have regard to the principles and purposes of the *Official Languages Act*.”

The BA does note that “the programming provided by the Canadian broadcasting system should... be drawn from local, regional, national and international sources” (3.1.i.ii) and that “a range of broadcasting services in English and in French shall be extended to all Canadians as resources become available” (3.1.k). It also indicates (in 3.1.t.iv) that distribution undertakings:

... may, where the Commission considers it appropriate, originate programming, including local programming, on such terms as are conducive to the achievement of the objectives of the broadcasting policy ... in particular provide access for

¹⁴³ Interestingly, Fraser raised the issue of 'regional' designation with respect to CBC television in 2009: “I ask that the CRTC clarify the concept of regional reflection. Currently, the CRTC has no policy on production in official language communities. The obligations it imposes are limited to the “reflection” of Canada’s regions in television programs. This approach is problematic. The concept of “region” is fundamentally ambiguous.”

underserved linguistic and cultural minority communities.

The programming provided specifically by the CBC/SRC should be in English and in French reflecting the different circumstances of each language community, including the particular needs and circumstances of English and French linguistic minorities (3.1.m. iv). There is nothing in the document, however, that specifies what kind and how much of the programming should be locally produced. The Lincoln Commission's report (2003) similarly notes this and states that

...the Broadcasting Act of 1991 states in Section 3(1)(m) that the Corporation's programming should: "reflect Canada and its regions to national and regional audiences, while serving the special needs of those regions." Nowhere does it state, however, that local audiences should be specifically targeted, nor does it insist that there be particular levels of programming provided at a regional or local level. In short, the CBC's mandate for local and regional audiences is left open for interpretation (p. 203).

This is further complicated by the fact that the CRTC's only definition of local programming applies only to commercial operations and campus radio stations¹⁴⁴, giving no guidance as to what is defined as local for public broadcasters.

The Official Languages Act

As a Crown corporation, CBC/SRC is considered a federal institution and hence should operate in accordance to the OLA. The Interpretation part of the OLA, Section 3, subsection (1) defines "crown corporation" as "(a) a corporation that is ultimately accountable, through a Minister, to Parliament for the conduct of its affairs, and (b) a parent Crown corporation or a wholly-owned subsidiary, within the meaning of section 83 of the *Financial Administration Act*." The definition of "federal institution" in the same subsection, includes in paragraph (g) "a Crown corporation established by or pursuant to an Act of Parliament" Furthermore, Part IV, section 22 states

Every federal institution has the duty to ensure that any member of the public can communicate with and obtain available services from its head or central office in either official language, and has the same duty with respect to any of its other offices or facilities (a) within the National Capital Region; or (b) in Canada or elsewhere, where there is significant demand for communications with and services from that office or facility in that language.¹⁴⁵

¹⁴⁴ Public Notice CRTC 1993-38, Policies for Local Programming on Commercial Radio Stations and Advertising on Campus Stations <http://www.crtc.gc.ca/eng/archive/1993/pb93-38.htm>, Accordingly, for purposes of this policy, local programming is defined as follows:

Local programming includes programming that originates with the station or is produced separately and exclusively for the station. It does not include programming received from another station and rebroadcast either simultaneously or at a later time; nor does it include network or syndicated programming that is five minutes or longer unless it is produced either by the station or in the local community by arrangement with the station. In their local programming, licensees must include spoken word material of direct and particular relevance to the community served, such as local news, weather and sports, and the promotion of local events and activities.

¹⁴⁵ Sections 32 and 33 (in Part IV) detail that the powers over deciding on whether a service is deemed sufficiently demanded lies with the Governor in Council – not the Commissioner.

Recall that the BA asks of the CBC/SRC to “have regard” of the principles and purposes of the OLA. The Preamble of the OLA is where the principles and purposes of the OLA are found and it refers to “the right of any member of the public to communicate with, and to receive available services from, any institution of the Parliament or government of Canada in either official language.” Part IV, Section 21 reiterates this: “Any member of the public in Canada has the right to communicate and receive available services from federal institutions in accordance with this Part.”

What may be even more important for this case, however, is the hierarchy of federal Acts. The annotated version of the OLA, as published by the Treasury Board of Canada (2001) clarifies that most of the OLA (with the exception of Part VI) prevails over all other federal acts or regulation with the sole exception of the *Canadian Human Rights Act* and its regulation (p. 23). In other words, CBC/SRC's claim that only the BA applies to their programming seems faulty. Additionally, the Foreword to the 2001 annotated version of the Act explains that unlike the 1969 version, the document's 1988 version's “major provisions are executory; that is they are subject to possible recourse before the Federal Court” (p. 3). This, combined with Section 78 which empowers the Commissioner of Official Languages to seek court remedy¹⁴⁶, indicates that the Commissioners actions (complaint investigation and the consequent legal action) could be within reason.

Furthermore, as this case deals specifically with an official language minority population, it is important to note Section 22 of the OLA:

22. Every federal institution has the duty to ensure that any member of the public can communicate with and obtain available services from its head or central office in either official language, and has the same duty with respect to any of its other offices or facilities

(a) within the National Capital Region; or

(b) in Canada or elsewhere, where there is significant demand for communications with and services from that office or facility in that language.

Again, the annotated document is helpful in interpreting this section as it explains what is considered “significant demand”:

In assessing significant demand, the government may take the following factors into account: the population of the minority in the region served, its particular characteristics, its proportion to the total population of the region, the volume of communications and services provided by an office in either language, as well as any other relevant factors (p. 25).

¹⁴⁶ Section 78 of the OLA states: (1) The Commissioner may (a) within the time limits prescribed by paragraph 77(2)(a) or (b), apply to the Court for a remedy under this Part in relation to a complaint investigated by the Commissioner if the Commissioner has the consent of the complainant; (b) appear before the Court on behalf of any person who has applied under section 77 for a remedy under this Part; or (c) with leave of the Court, appear as a party to any proceedings under this Part.

Providing service in both official languages is a requirement that is easily understood as applied in public service offices; forms and other documents have to be made available in both English and French, and at least someone on staff has to be able to assist clients in both languages. When it comes to broadcasting, however, the requirement is more blurry. On the surface, the CBC/SRC's claim that their programming was not subject to the OLA suggests that the broadcaster does not consider its radio programming to be a 'service'. With the purpose of CBC/SRC radio being to provide radio programming, this claim at first appears misguided, but the necessity for its programming to be independent from the government is what really gives its argument some weight.

What is even more blurry, however, is the nature of programming that the CBC/SRC is expected to provide. The BA notes that the CBC/SRC programming should reflect Canadian culture in all its diversity and that it should be in both English in French. Does the CBC/SRC satisfy the requirements of the OLA by providing some local news and then piping French-language programming from Toronto and Montreal? Perhaps not, but if provision of programming is always conditioned by availability of funds, then is it fair to say that the CBC/SRC is satisfying the requirements to the best of its abilities?

There seems to be nothing in either act that is helpful on deciding whether the CBC/SRC is obligated to provide any substantial local programming beyond news segments. Moreover, the BA requires the CBC/SRC to reflect “its regions” but not local communities. Ontario programming is considered regional, so it would seem that it, in fact, satisfies the CBC/SRC mandate. There is nothing in the OLA to challenge this. It follows then, that even if the CBC/SRC is wrong, and its programming is in fact subject to the OLA, there is no substantial indication that the CBC/SRC has failed to comply. While another debate – that of sufficient local services for minority communities – is a different matter all together (and further discussed in the next section), there is little indication that the CBC/SRC has not fulfilled its OLA obligations.

It is also important to situate the case in another ongoing process. The Office of the Commissioner and the Department of Canadian Heritage have made efforts in recent years to push for better implementation of section 41 of the OLA (see below). In 2003 the Department of Canadian Heritage designated CRTC as one of the federal institutions required to develop and implement an action plan for implementation of Part VII Section 41, which states:

41. (1) The Government of Canada is committed to
 - (a) enhancing the vitality of the English and French linguistic minority communities in Canada and supporting and assisting their development; and
 - (b) fostering the full recognition and use of both English and French in Canadian society.
- (2) Every federal institution has the duty to ensure that positive measures are taken for the implementation of the commitments under subsection (1). For greater certainty, this implementation shall be carried out while respecting the jurisdiction and powers of the provinces.
- (3) The Governor in Council may make regulations in respect of federal

institutions, other than the Senate, House of Commons, Library of Parliament, office of the Senate Ethics Officer or office of the Conflict of Interest and Ethics Commissioner, prescribing the manner in which any duties of those institutions under this Part are to be carried out.

Section 41 does not specify the steps to be taken for “enhancing the vitality” of linguistic communities and interestingly enough while CRTC was designated as one of the federal institutions required to implement Section 41¹⁴⁷, CBC/SRC was not.

CRTC and Linguistic Minorities in Canada

The background document already discussed a number of key CRTC documents that surround this case. Those documents pertain specifically to the CBC/SRC and their services. In this section we wish to address another landmark CRTC document, the *Report to the Governor in Council on English- and French-language Broadcasting Services in English and French Linguistic Minority Communities in Canada* that looks more broadly at broadcasting services and linguistic communities.

In early 2009, the CRTC held hearings on this issue and the report was published on March 30 of that year. The document encompasses a range of media formats, including television and new media, but the section on radio contains some passages that need to be quoted at length here.

On page 12, the CRTC addresses the need for local radio and calls for cooperation between the CBC/SRC and community radio stations to remedy the lack of funding for local productions:

Interested parties submitted that, in the absence of more French-language radio services offering local programming, the CBC's services (particularly *Première Chaîne*) and community radio stations are even more important, and that it is essential to address the challenges facing them.

According to most of the parties, community radio provides the official-language minority communities with local programming that meets their needs and interests and that enhances their vitality. However, one of the biggest challenges facing community radio stations is the lack of funding to operate and support their services. On this issue, parties noted the value of the CBC's collaboration, which, while not without challenges, warrants consideration. Moreover, several parties expressed their perception of an imbalance of power when in a market with a saturated frequency spectrum, applications for licences to operate commercial and community radio programming undertakings are competitive.

As a way of overcoming the above-mentioned challenges, the parties proposed measures to provide more funding for community radio, make cooperation with

¹⁴⁷ In 2007, the Commissioner's audit of the CRTC on this issue state that the CRTC had failed to take the appropriate steps, but by 2009 their performance was more satisfactory (see the 2007 and 2009 audits at http://www.ocol-clo.gc.ca/docs/e/CRTC_e.pdf and http://www.ocol-clo.gc.ca/html/audit_verification_102009_e.php)

the CBC systematic and ensure that linguistic duality is taken into account when radio applications are considered. The Commission agrees that the presence of these services to the official-language minority communities is important to ensure that they have access to local programming that meets their needs and interests and enhances their vitality and development.

While clearly concerned that the linguistic minorities are under-served, the CRTC evidently did not consider that it was the CBC/SRC's responsibility to remedy this. Instead, the Commission calls for CBC/SRC's good will in order to assist community radio efforts. The report continues in this vein:

In addition to funding, some community radio programming undertakings can benefit from the CBC's co-operation from a technical, training and programming perspective. Most of the parties noted that it is essential that this support continue, and some would like to see it expanded.

In its final comments, the CBC explained that wherever possible, it strives to support community radio in minority communities, depending on their needs, which vary from one undertaking to the next. From a technical perspective, the CBC shares its sites, towers and antennas, charging the lowest possible access rates based on each station's costs. In the area of training, the CBC occasionally provides workshops on hosting and interviewing techniques for community broadcasters. For programming purposes, for example, the CBC has developed a partnership with the Association franco-yukonnaise to create a weekly program entitled *Rencontres*, which is produced and hosted by volunteers and broadcast on the airwaves of the CBC in the Yukon.

The Commission considers that the CBC provides community radio stations in various regions of the country with support that is essential to their vitality and development. The role of the CBC with regard to its support for community radio will be discussed at the next licence renewal for the CBC's radio stations and the Commission's decision in this respect will take into account the resources that are at the CBC's disposal (p. 13, emphasis original).

Once again, the availability of resources to the CBC/SRC is recognized as a crucial factor in determining the extent of services the broadcaster can provide. While fairly clear that the public has higher expectations for CBC/SRC services, the document also commends the CBC/SRC for its work and indicates that other broadcasters must play their part as well:

As mentioned previously, official-language minority communities, particularly francophone communities, have access to a limited number of radio services. According to interested parties, with the exception of local CBC stations and community and campus radio stations, the programming of the radio services that the communities receive does not reflect the needs and realities of linguistic minorities.

Although the parties commended the CBC for its presence in the official-language minority communities, they noted that the programming of *Espace musique*,

which is produced mainly in Montréal, provides very little reflection of the communities. The CBC confirmed that *Première Chaîne* and Radio One programming has a large regional component, while *Espace musique* and Radio Two programming is national. On this issue, the *Alliance nationale de l'industrie musicale (ANIM)* and the FCCF proposed that the Commission reiterate its expectations for the CBC, at the next licence renewal for its radio stations, to ensure that regional station and network programming provide a fair representation of the issues and concerns of communities across the country. Also, in its final comments, Torres Media Ottawa Inc. encouraged the federal government to increase its funding to the CBC so that the public broadcaster can provide the communities with more local and regional information.

For its part, *Radio de la communauté francophone d'Ottawa (RCFO)* submitted that only community radio stations can compensate for the lack of local content. In fact, several parties noted the contribution that community radio programming makes towards reflecting the official-language minority communities. For example, the MCCF compared the total audience share of francophone community radio stations and that of the CBC's two stations in New Brunswick: 104,300 listeners tune into the eight French-language FM community stations in this province (CFAI-FM Edmundston, CFJU-FM Kedgwick/St-Quentin, CIMS-FM Balmoral, CKRO-FM Pokemouche, CJSE-FM Shediac, CKUM-FM Moncton, CJPN-FM Fredericton and CHQC-FM Saint-John), while only 26,400 listeners tune into the CBC stations CBAF-FM Moncton (*Première Chaîne*) and CBAL-FM Moncton (*Espace musique*). New Brunswick's French-language community radio stations thus have close to four times the audience share of both CBC stations combined.

The Commission is pleased with the success of community radio stations in official-language minority communities and encourages the stations to continue reflecting their respective communities in their programming. The Commission notes that it can nonetheless propose certain measures to encourage the reflection of these communities in the programming of the CBC's radio services. **Given the importance of the CBC's radio programming to the official-language minority communities and to the broadcasting system, the Commission intends to review the CBC's contributions to community reflection at the renewal of its licences** (p. 15, emphasis original).

The report concludes that the overall broadcasting system is quite adequate, though bound by technical and financial limitations. CBC/SRC is singled out for its work but once again the funding issue is raised:

Finally, in view of the comments of the parties, the Commission notes the extent of the contribution made by the CBC's radio and television services towards ensuring the development of official-language minority communities. The CBC noted in its comments that it faced many challenges in regard to the conversion to digital of the transmitters of its stations in official-language minority communities, the production of regional content in high definition format by the regional stations, and the acquisition of the financial resources necessary for

pursuing the extension of its radio services, in particular, that of *Espace musique* in minority communities.

The Commission considers it important that the CBC have the means to continue serving these communities. The government may wish to take note of the challenges that the CBC will have to contend with over the following years and encourages it to consider solutions that would enable it to provide the best possible service to official-language minority communities (p. 20, emphasis original).

Our Cultural Sovereignty: The 2003 Lincoln Commission Report¹⁴⁸

This report is another key document that provides a great deal of context for policy-making in general and the legal case in question in particular. The parliamentary committee sought out input from audience and broadcasters to come up with an assessment of Canada's broadcasting services and to provide a road map for future endeavours.

Chapter 6 of the report is devoted to assessing the “National broadcaster” and on page 203 it becomes apparent that local services are the main point of contention with respect to the CBC/SRC:

As the Committee travelled across Canada, it became apparent that feelings run deep — especially outside Toronto and Montréal — whenever the issue of local, regional and national programming is mentioned. In particular, decreases in local CBC programming — which started in the early 1990s — raised many questions concerning the role and mandate of the national public broadcaster. The Committee notes that the Mandate Review Committee foresaw this dilemma in 1996 when it wrote:

Some commentators argue that in order to reduce costs, the CBC should become strictly a national network....We disagree strongly....Our view is that the CBC will not be able to “contribute to shared national consciousness and identity” if people from various parts of the country do not hear or see themselves on the CBC.

To be sure some of the dissatisfaction is directed at the CBC/SRC, but the recognition of funding limitations is rather conspicuous:

¹⁴⁸ We acknowledge that the Lincoln Report is not free of controversy, as it was headed by a controversial figure. Prior to serving in the Canadian House of Commons, Clifford Lincoln had served as a Quebec cabinet minister who resigned in 1988 over language issues. A bilingual immigrant, in 1988 Lincoln addressed the Quebec National Assembly with the now historical “rights are rights are rights. There is no such thing as inside rights and outside rights. No such thing as rights for the tall and rights for the short. No such thing as rights for the front and rights for the back, or rights for East and rights for West. Rights are rights and will always be rights. There are no partial rights.” For more see Documents on the Controversy Surrounding the Language of Commercial Signs in Quebec (Bill 178) December 1988 at <http://faculty.marianopolis.edu/c.belanger/quebechistory/docs/bill178/10-33.htm>

The Canadian Media Guild and the Newspaper Guild both argued that the CBC does not have an adequate approach to local programming even though people have a fundamental desire for local content. And, the Music Industry Association of Newfoundland and Labrador's went so far as to say that "[u]nderfunding the CBC is denying th[e] regions a voice and denying the not-so-commercial voices a chance to have their say" (p. 205).

The effects of funding cuts is already identified as most severe among minority francophones although the Commission points out that those communities are not the only ones affected:

Thus, despite much appreciation for (and some frustration with) CBC's French-language services, it can be seen that the Corporation's reduction in local programming has been particularly hard on minority francophone communities outside Quebec. But concerns with reaching and serving francophones in the regions were not limited to minority communities. In Halifax, for example, one witness argued that CBC Radio lacks diversity and that local service to Nova Scotia's regions, is poor, at best. (207-8).

The following passages from Chapter 6 further help understand the CBC/SRC's precarious funding situation and the challenges to its role in the Canadian cultural landscape:

The CBC's current parliamentary appropriation helps fund its six main networks, 102 originating stations, 26 privately owned affiliates, the distribution of its conventional signals, and its new media initiatives. The Corporation, however, has never been fully supported by public funds, nor has there ever been full agreement on an appropriate funding mix (p. 209).

While programming services aimed at particular public interests, citizens or communities have an important niche within today's multi-channel world, the Committee recognizes that it will be more difficult for public broadcasters with a broad, general mandate to resituate themselves (p. 212).

The Committee is of the view, however, that the CBC cannot possibly be expected to act on one part of its public mandate — over and above its other responsibilities — if it is not ensured sufficient resources. Nor should the CBC be expected to be the only broadcaster with obligations to Canada's regions. This is why Chapter 9 of this report recommends the creation of a Local Broadcasting Initiative Program that would be available to all broadcasters — including the CBC — that would facilitate partnerships between local broadcasters and interested stakeholders in the development of programming services to serve the special needs of certain areas (p. 217, emphasis original).

What the above passages, which precede the 2009 CBEF cuts and the consequent court case by more than six years, portray is a set of circumstances for which the current case is merely an

extension. The tensions between CBC/SRC's underfunded state and the public expectations for its services were bound to come to a head.

Chapter 9 of the Lincoln Commission's report addresses community, local, and regional broadcasting and here we get a better sense of the local programming issues as something that far exceeds the CBC/SRC-related grievances. The report notes in its Introduction that in their entirety “local and regional broadcasting services have become endangered species” (p. 13) and adds:

The harsh reality, as witnesses repeatedly reminded the Committee, is that local non-news programming seems to be almost non-existent. More often than not important cultural and civic events as well as local drama and comedy, sports, and music are not broadcast. An entire layer of Canadian life and experience is missing from the screen and the airwaves — and these forms of expression are arguably the places where the Canadian experience is the most original and vibrant, where the country discovers and defines itself (p. 13).

To remedy this,

...the Committee calls on the government to devise a new strategy so that at least some of these critical gaps can be filled. The Committee also believes that there has to be a decisive break with the past. It is recommending a new funding program that would empower local communities and enable the creation of key partnerships between local and community groups and broadcasters. It would give a voice to those communities that feel that they have been abandoned (p.13-14).

Once again funding is identified as a key issue and the Commission also points out that public broadcasting funding in Canada is in fact quite low, comparatively. In fact, out of the 26 OECD countries, Canada ranks 22nd in its funding as a percentage of GDP (p. 181). Countries like Finland, Denmark, Norway and the UK spend more than twice that on their public broadcasting.

This information is crucial in understanding the overall climate in which the CBC/SRC finds itself. Moreover, the linguistic minorities' access to services is also raised in the report, and Chapter 9 explores this in more detail. The section on community radio is particularly telling of the prevailing sentiments, albeit in the context of community radio stations:

The Committee heard very few general comments about community radio. French-language minority communities, however, had much to say about problems with service provision outside Quebec. The *Impératif français*, for example, was worried by the way communities are designated as francophone or anglophone:

... an anglophone market is any market where citizens whose mother tongue is French represent less than 50% of the population (section 18(4)b). This means that if the population in a given area is

49% francophone and 22% anglophone, the remaining 29% who are neither will be counted with the anglophones to tilt the balance in their favour. What is depicted here resembles the demographic and linguistic make-up of the Island of Montréal in the near future

Another concern was the CRTC's refusal on two occasions to grant the *Coopérative radiophonique de Toronto* a radio licence. As Mr. Christian Martel explained, a Toronto francophone “is far better informed about what is going on in Québec or the Outaouais region than about what is going on in his or her own community.” Indeed, many witnesses could not understand why Toronto, Canada’s largest city, has just one local French-language broadcaster (the CBC) and a small amount of French language community programming on the University of Toronto’s CUIT FM campus radio station (p. 343-44).

The remedy, once again is not seen as the CBC/SRC's responsibility, but the CBC/SRC is seen as a part of the solution – the report calls for improvements to community cooperation through which the CBC/SRC would not provide but assist in facilitating local programming:

To deal with these challenges, many witnesses called for an expansion of community radio services. The *Alliance des radios communautaires* du Canada argued that: “In major urban centres and isolated regions such as Toronto, Victoria and Whitehorse, where Radio-Canada’s local programming scarcely exceeds 40 hours a week, the [Broadcasting] Act should encourage a sharing of broadcast time with the various community associations” (p. 344)

Interestingly, the report turns to the Department of Canadian Heritage for solutions:

Other new models to support community radio in Canada were not proposed. More often, organizations expressed the desire to have current programs maintained or bolstered, especially Department of Canadian Heritage programs to support minority language communities. As one witness explained to the Committee: “... at this time, it isn’t really the CRTC that is preventing the development of community radio services; rather, it is the absence of a well-defined [Department of Canadian Heritage] program that is adapted to today’s new technologies.” With this in mind, Mr. Daniel Levesque of Radio MirAcadie proposed that up to 75% of all start-up costs for minority-language community radio be funded by the Department of Canadian Heritage (p. 345).

The Lincoln Commission recommendations that are noteworthy here as they, once again, raise the issue of adequate funding:

RECOMMENDATION 6.1:

The Committee recommends that Parliament provide the CBC with increased and stable multi-year funding (3 to 5 years) so that it may adequately fulfill its mandate as expressed in the *Broadcasting Act* (p. 624).

The responsibility for local programming is pointedly given to the Department of Canadian Heritage:

RECOMMENDATION 9.2:

The Committee recommends that the Department of Canadian Heritage develop a Community, Local and Regional Broadcast Policy in consultation with key broadcasting industry stakeholders, including public, private, community, educational and not-for-profit broadcasters and related interest groups (p. 628).

And:

RECOMMENDATION 9.8:

The Committee recommends that the Department of Canadian Heritage create a Local Broadcasting Initiative Program (LBIP) to assist in the provision of radio and television programming at the community, local and regional levels (p. 629).

None of the above recommendations have been implemented thus far, with the exception of 9.8. In 2008, the CRTC created the Local Programming Improvement Fund which provides funding for television stations only¹⁴⁹ and the Community Radio Fund of Canada that funds community-based initiatives.

Francophone Arts and Culture: Living Life to the Fullest in Minority Setting

This report, delivered by Standing Senate Committee on Official Languages in 2009 provides a timely look at the larger cultural issues that surround Canada's linguistic debate.

The main issues identified as threats to the French language and francophone culture have to do with globalization, namely: “the growing influence of Anglophone culture in general and American culture in particular; the increasing domination of English as international language of business and politics; and the domination of English on the Internet” (p. 3).

Like the Lincoln Report, this report places a great deal of importance on community media:

Community radio stations and newspapers play an essential role in maintaining the vitality of Francophone communities in minority settings. Their contribution to the development of arts and culture in particular, and to the vitality of these communities in general, does not seem to be adequately recognized by the federal government. These media were not identified as a priority development sector in either the 2003–2008 Action Plan or the 2008–2013 Roadmap (p. 14).

Rather than blaming the media for the suboptimal content, the report calls on the government to take positive steps towards effectively utilizing their advertising budget in a way that contributes to community media. Consequently,

¹⁴⁹ Local Programming Improvement Fund, 2010, http://www.crtc.gc.ca/eng/info_sht/tv13.htm, accessed March 26, 2011.

The committee asks that the Minister of Canadian Heritage and Official Languages, as coordinator of official languages issues, take the necessary steps to ensure that all federal institutions adopt positive measures with regard to community media, radio stations and newspapers. The committee contends that these media must receive a fair and equitable part of the government advertising budget so that they have the means to play their full part in official-language minority communities. Federal institutions should make effective use of these media and set aside a predetermined part of their advertising expenditures for them (p. 16).

With respect to the CBC/SRC

Some witnesses emphasized the important role of the SRC [Société Radio-Canada], as a national public broadcaster, in supporting arts and culture in Francophone communities in minority settings. The Commissioner of Official Languages said, “The importance that CBC and Radio-Canada play can never be underestimated in terms of making it possible for people to continue to have access to their culture in their language across the country.” The SRC is an important partner for many cultural events in Francophone communities in minority settings (p. 17-18).

In other words, CBC/SRC is given credit for its contribution to francophone culture, but it is also urged to do more:

Many community representatives are of the opinion that the SRC must increase the visibility of Francophone communities in minority settings and their artists by featuring them on prime-time national programs. One representative from the SRC stated that the senior management team is now much more aware of the importance of regional and Francophone representation...The committee strongly encourages the SRC to highlight the reality of Francophone communities in minority settings in its programming. This should be reflected in the number of programs produced outside of Quebec, in regional programming and in national broadcasts. The committee believes that the SRC must ensure that national prime-time programming includes content that reflects the Canadian Francophonie. The SRC has a key role to play in promoting Francophone arts and culture. Despite the current economic climate, it remains an essential partner in this regard. To ensure that all Francophones across the country have access to content that meets their needs, the committee recommends the following:

Recommendation 2:

That the Société Radio-Canada ensure appropriate representation of Francophone communities in minority settings in its programming (p. 18, bold original).

But the standing committee also freely admits that such recommendations depend on finances:

However, the recent cuts made at the SRC – hit by the economic crisis along with other broadcasters – call into question the possibility of policy changes in this area.

Cultural coverage and regional coverage have been weakened. According to the *Fédération des communautés francophones et acadienne du Canada*, “Radio-Canada teaches our young people about culture, helps develop the new generation, and maintains our sense of identity. If services are no longer provided in French at Radio-Canada, you know, Canada is a very vast country, then what will we belong to? What kind of identity will we develop without such a service?”(p. 18)

Though in some way alarmist, the position clearly recognizes the economic constraints faced by the broadcaster and acknowledges that even policy changes, let alone practical applications of policy, greatly depend on availability of resources.

Conclusions

The case brought forward by the Commissioner of Official Languages is but the tip of the iceberg for much larger issues in which this case is situated. The broadcasting system as a whole is perceived by linguistic minorities as a system that has been failing them for years. The Commissioner's desire to intervene is appropriate, but the target of his intervention – the CBC/SRC – may be the wrong the place to turn. Clearly, the issue of local programming for official language minority communities is only a slice of the local broadcasting discontent among minority and majority populations alike, and an even smaller issue in the sea of linguistic rights discussions. Meanwhile, the CBC/SRC seems to be doing its best to provide programming in both languages as far and wide as it can. The programming, in some cases, admittedly contains only a sprinkling of local content, but that appears to be a contentious issue across the country, in French and English, minority or majority communities. The question then is not about which institution should be held responsible to provide local programming to linguistic minorities, but about who is responsible to provide the resources for such endeavours.

Despite the changed circumstances many of the recommendations in the conclusion of this report echo previous recommendations. The need for funding and representation of linguistic minorities persists.



Local Programming and Community Response in the Windsor-Essex region

For the purposes of this report interviews were conducted with members of the francophone cultural community in the Windsor-Essex regions. The input of the interviewees provided current reaction to the perceived cultural effects of the changes to community media, specifically the impact of the cuts to local programming at CBEF Windsor that effectively curtailed the production of local French and English-language programming.

Sample

The empirical data for this research is based on a non-random purposive sample, then mitigated by snowball sampling techniques. Interview subjects were drawn from the Windsor-Essex region and those with a strong connection to the region or its francophone community. The interviewees self-identified as members of the francophone community. The interviews were conducted from January to July of 2011, by a team of researchers based at York University, Toronto, Ontario. A total of 50 subjects were interviewed by telephone, 32 interviews took place in English and 18 in French. All interviews were recorded for greater accuracy in interpretation. Interview subjects were initially selected based on connections or initial contacts and community members interviewed suggested and referred other interview subjects to approach, who in turn provided further contacts. Over 700 other contacts were made to cultural groups, schools, churches and community centres and other leads resulting in 50 community members who agreed to be interviewed. Interview subjects were contacted through a process of cold calls, which generates a minority of positive responses, particularly without inducements to participate. Many people felt too disconnected from the francophone community to participate or were not sufficiently aware of French-language media and specifically CBEF to feel confident enough to give interviews. However, some of the key spokespeople for the challenge to the CBC's changes were so connected to the current court challenge that they declined to be interviewed as the request of the lawyer handling the case. There were some who felt strongly that their voices should be heard and participated as anonymous interviewees

Methodology

Semi-structured interviews were conducted to arrive at results as close as possible to that of the depth interview, however multiple interviewers the schedule of questions of the semi-structured interview provided a framework for consistency and comparison in the data. In an attempt to make a fuller examination of the community reaction, interviews were conducted so that the unanticipated could be part of the interview data. The schedule of questions aimed to identify the subjects' community connections and role of radio and other media in their lives, but the interviewees were also encouraged to share narratives they thought relevant to the study.¹⁵⁰ These personal recollections stand with the policy and appeals to change policy to provide a snapshot into the community and triangulate the methodological work by extending the

¹⁵⁰ The schedule of basic questions can be found in Appendix 8. The duration of the interviews ranged from 10 to 45 minutes. Most subjects agreed to be identified by name and are identified below to be properly credited for their contributions. Four subjects expressed preference for anonymity and are protected accordingly.

investigation beyond the policy and calls for revision of policy.

Community response

“Il devrait y avoir le choix des deux langues partout... et où sont les langues autochtones qu'on a perdu? C'est un autre débat.”¹⁵¹

As asserted above in an interview with John-David Duncan the identification within the francophone community as part of a larger community with a choice between two languages everyone, without even mentioning aboriginal languages is strong. The sense of the community reaction to the elimination of local French-language was clearly evident in the interviews. Many subjects are quoted at length here in order to provide the most authentic voice to the community. The major recurring themes are organized into three broad areas: fear of assimilation, immigration, and cultural or educational role of French-language radio in Windsor. These areas are discussed below. Additional researchers' observations follow, and they include discussions of listening habits, use of other French-language media, new media technologies, and generational variations in reported media habits. The major themes that recurred in the interviews are consistent with the larger literature in the area of French and English language Canadian communities, both historically and in contemporary discussions.

All the interview subjects indicated that they considered French broadcasting to be of great importance. They put great emphasis on Canada as an officially bilingual country and that more should be done for the vitality of official language minority communities. However, several of our subjects admitted they did not listen to CBEF and in some cases did not follow any French-language media. Among those who did listen to CBEF, several listened only in the car, however, that is a common listening pattern independent of language preferences. When asked about francophone cultural events, most noted attending only one or two (or in some cases none) events in the previous year. This, of course is an indication that assimilation fears often expressed by the Franco-Ontarian community are not unfounded. It is of note, however, that the faithful CBEF listeners were concentrated in Windsor; although the station serves the larger area of Southwestern Ontario, interviewees from other parts of the region indicated the same kind of disconnection from Windsor content as Windsor listeners described feeling about Toronto-based programming. Nadine Deleury had a strong sense of the situation and the geography, since Windsor is so close to the border, she commented, “Que la ville de Winsdor, qui a une telle population francophone, alors que c'est une ville à la frontière, qui est tellement influencée par les États-Unis et qui fait tellement d'efforts pour garder la culture française... C'était vraiment un crime de lui supprimer sa voix.”¹⁵² In agreement with Deleury and noted earlier in this report, CBEF's location is also essential in understanding the cultural significance of its role in the region. While the historical fears of the US cultural imperialism have been felt across the nation throughout the spectrum of Canada's media system, however a border town Windsor must compete with the Detroit area and the multiple media channels offered by the United States. “In this area here, we are heavily, heavily influenced by the Detroit broadcasting industry” said Paul

¹⁵¹ John-David Duncan, interview by Meirna Malaty, March 28, 2011, audio, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁵² Nadine Deleury, interview by Meirna Malaty, February 8, 2011, audio, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

Laprise-Haslip.¹⁵³ “There’s actually one weird situation, there’s a Windsor-based radio company that actually pretends to be Detroit. It will do everything it can to not mention the fact that it’s broadcasting from Windsor Ontario. A lot of its advertisers are Detroit based and it will broadcast the Detroit traffic.”¹⁵⁴

Assimilation

The reduction of local French programming on CBEF Windsor and its effect on the cultural community reflects the ongoing struggles and the contentious debate of the survival of Canada’s policy of bilingualism, with many community members arguing that the cancellation of francophone radio programming on CBEF signified a larger attempt to assimilate the linguistic minority community into the dominant English culture, thereby threatening the cultural preservation of the francophone community. As an official language minority community, the francophone population in Windsor has a longstanding history within the region, dating back to 1701. *Dame de la Fédération Canadiennes Francaises* and President of *La Fédération des aînés et des retraités francophones de l’Ontario*, Mae Caron highlighted the longstanding history of the francophone community in Southwestern Ontario, [translation] “In July, we are celebration 360 years of francophone culture. The English people won’t be there. Only the francophone who helped keep the French culture alive.”¹⁵⁵ Paul Laprise-Haslip, an active member within the Windsor French cultural community and a resident of Pain Court within the Chatham-Kent municipality, emphasized his immeasurable pride of his historic connections to the francophone community, with his family’s genealogy within the Franco-Ontario area dating back to the late 1600s.¹⁵⁶ Residing in one of the earliest French community settlements in Ontario and speaking as a multi-generation francophone, Laprise-Haslip stressed that the cancellation of programming on CBEF epitomized the historic struggle of linguistic minority communities in their fight for recognition within a dominant anglophone culture by Canada’s institutions:

The impact on us is a feeling that...a feeling of loss that these things, these infrastructures...generations had to fight for, and then have them slip away. Decisions made by people who have literally no connection to this area. It takes these tools to fight the ever-present assimilation effect, and without it, it’s just one more thing—you know, it’s like snakes and ladders, two steps forward and a big slide backward, and then start all over again and let’s go! I can capture it for you perfectly. It’s like the Harris government trying to shut down *L’Hôpital Montfort*. That kind of thing, it’s like here we go again. Back in the 1950s, the province literally outlawed and banned French language and education. It took us decades to get it back. My mother used to hide the French textbooks when the inspectors would come. We all have this as part of our cultural history down here, where we remember this as one more battle that we have to fight. This is just one more thing—the reason why people got all up in arms in Windsor is because of that.

¹⁵³ Paul Laprise-Haslip, interview by Aidan Moir, March 16, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁵⁴ Paul Laprise-Haslip, recording.

¹⁵⁵ Mae Caron, interview by Meirna Malaty, April 14, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁵⁶ Paul Laprise-Haslip, recording.

You think you've got something in place and then it slips away because of some bureaucrat in Montreal who decided that it was convenient for budgetary purposes. We don't find that is all appropriate for us. You're talking to a man who is thirteenth generation francophone in his family who came to Canada in 1640. We have the family tree, the books, to prove it. And all the families down here have been in Canada that long. These are the tools we fought for, and we are not kind of... some budgetary rounding error.¹⁵⁷

Paul Beneteau, president of Club Richelieu and lifelong resident of Windsor, situated the reduction of programming on CBEF within other efforts by the anglophone-community to assimilate the francophones, comparing the impact of the cancellation to the strategic promotion of English masses by the management of his church:

My personal perception of it—I'm going to go back to what happened to the church. When I was a kid I was an altar boy, and we had four masses, three in French and one in English. The English had the fewest amount of people there, and we used to pack in the church for the three other masses. Slowly, they started taking away our French masses and replacing them with English masses. There were two reasons for that. One, it made it easier for the bishop to replace and make priests jump around because everybody had to speak English. So you didn't have to worry about sending a francophone or bilingual priest to the parish. So they tried to eliminate it—you had that upper management trying to eliminate it. Two – now the reversal is true whereas the French mass is in last place. Okay, you get the 8:00 spot because the English masses get the other places. So what happens to go back to use that comparison in the communications world, the media world, is once you start taking away the radio, even though it might have been the least listened to because of the TV or read by the newspaper, and what's next is we'll end up with zero. That's the effect that losing that local radio station will have.¹⁵⁸

Similar to Paul Beneteau's, contentions, Mae Caron expressed her disappointment and frustration by attempts by English institutions to assimilate the French community in Windsor, noting that the morning of her interview she had received her voting card for the 2011 federal election, in which [translation] "the name of our church was translated to English, so I wrote down a letter to the man responsible for this, telling him that it would be greatly appreciated if they kept the name of the church in French. I am doing all I can so the language could be kept and preserved."¹⁵⁹ Such actions demonstrate a larger threatening trend that Paul Beneteau and Mae Caron fear within the community to assimilate francophones by promoting a greater daily usage of English. Paul Beneteau in particular highlighted the potential negative effects of bilingualism as a potential threat to the community, since he believes it is now being utilized to eliminate the need of the French language as "everyone understands English so we'll eliminate the French," a

¹⁵⁷ Paul Laprise-Haslip, interview by Aidan Moir, March 16, 2011, audio, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁵⁸ Paul Beneteau, interview by Aidan Moir, March 10, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁵⁹ Mae Caron, recording.

train of thought that puts “fear in my heart.”¹⁶⁰

Although policy and funding played a critical role in cutting local programming across the country in English and French, other factors aside from the cuts affect the reception of French programming. At CBEF, technology and reception are key factors influencing the audience reach of the radio station to other francophone regions in Southwestern Ontario. The Windsor community was privileged to have a local radio station when it is out of reach of other francophone communities. Thus, CBEF was not only responsible in producing specific content for the Windsor cultural community, but served francophones in regions across Southwestern Ontario, including Pain Court in the Chatham-Kent municipality. Despite its multi-faceted role in serving francophones across the Southwestern Ontario region, the station was plagued by very poor reception dependent on weather conditions, ultimately restricting the listening potential for francophones in areas outside of Windsor not serviced by a local community station. Chatham-Kent residents interviewed commented on the limited reception of CBEF, remarking that even with the powerful technology that defines Canada’s media environment, the reception of the only French-language radio station is, at least in Chatham, plagued by constant static, directly influencing her ability to even receive the station and its programming. Roger Daniel in Pain Court commented on reception problems [translation] “And here in Pain Court it is really sad that the radio reception is very bad. Even the reception that comes from Windsor, we have to go online to listen to radio.”¹⁶¹ Laprise-Haslip placed the issue of reception within the larger socio-cultural debate of assimilation in the Windsor-Essex and Chatham-Kent regions, noting:

Well, I am in a geographical location that makes reception of either Windsor or the London broadcasts iffy on most days. I often have to switch back and forth because of the atmospheric conditions, which means London will make better than Windsor. Every day I have other stations breaking through because the signal isn’t strong enough for where I live. Technically it’s too weak, and I wish that would be improved. But that’s minor to not having it at all. If I just travel just 5 kilometers to the north of my village in my car, I start losing the Windsor station. It doesn’t take very much; I’m just barely in the zone. And yet I’m in one of those little francophone villages that were started like 160 years ago, you know? The village that I live in has a high school and a primary school and they’re both French language. And there are hundreds of kids in there who are bussed in from the anglophone-dominant city of Chatham and the surrounding area. Where I live, after agriculture, French language education as an industry is the second most important industry for jobs, etc., where I live. So it’s very important. Having very little choice—literally if you get one station--we’re flooded with US and Canadian stations of all types. We have one and they’re trying to take it away from us. If we go satellite, we have more choices of French language programming, but it’s all Montreal based.¹⁶²

The lack of reception, requiring active French radio listeners such Paul Laprise-Haslip to turn to

¹⁶⁰ Paul Beneteau, recording.

¹⁶¹ Roger Daniel, interview by Meirna Malaty, April 18, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁶² Laprise-Haslip, recording.

Radio-Canada satellite signals originating out of Toronto and Montreal, reflects a further aspect of assimilation – assimilation into a dominant Toronto-centric approach to content and programming dissemination, where local information is replaced in favour of rebroadcasting programs originating out of Toronto and Montreal, content which often reflects a national, rather than local perspective. As Laprise-Haslip notes:

I live in a small village that doesn't even have cable. We have to get satellite. There's no local programming, English or French from where I live. The people in Windsor don't have local television stations in either language [that are broadcast via satellite]. So the French language broadcasting I receive is Toronto or Montreal based. So the events being discussed [are] really very distant. There is a re-transmitter in London, which is transmitting the radio broadcasting from Toronto. If reception is bad one morning and I'm listening to CBEF in the morning, and I flip to the Radio-Canada [London] broadcast which is nothing more than the Toronto broadcast. So guess this: I come from a village of about a thousand people and I have a ten minute drive, and I'm listening to all the traffic problems in Toronto and on [highway] 401. So it's irrelevant to me. And it gets worse if I switch to the Montreal broadcast. It's fine, but it has very little connection to my life. When I'm listening to Radio-Canada out of Windsor, then yes, the weather is what I'm experiencing; they very rarely have traffic tie-ups where I live around Windsor. Everything is much more—I recognize the events they're talking about, the institutions they're talking about, the personalities. It's no different than somebody sitting in Toronto and listening to a broadcast in New York. It's exactly like that.¹⁶³

Laprise-Haslip's commentary is consistent with the larger context of narratives and experiences of Windsor francophones, in general, and the effect that the cuts to local programming and resulting curtailment of French programming had on the cultural community. While the majority of programming featured on CBEF originated elsewhere, due to the cancellation of local content members of the community spoke out against the greater reliance upon Toronto news and cultural programming to fill airtime. Paul Chauvin highlighted the fact that CBEF previously aired more quotidian local programming. – He estimated approximately eight hours, although it was actually about three hours a day, the majority of which was devoted to local news, traffic reports, weather and cultural events. The switch to Toronto French news has forced him to listen to local English station, because the French stations do not cover his region appropriately. Paul Beneteau¹⁶⁴ emphasized the irrelevancy of Toronto programming featured on CBEF, noting that the rebroadcasting of nationally-circulated content caused him to turn to Detroit-area networks to receive information pertaining to his community; while he may be supporting an American network, he feels that the local information, weather, and traffic reports broadcasting out of Detroit are more applicable to his everyday experiences than listening to traffic reports about congestion on Toronto and Montreal highways. Guy Mayer explained how the irrelevance of programming actually contributes to assimilation [translation]: "If it's something that applies to me, it's going to be easy to listen and pay attention to it. If it doesn't, then you change station,

¹⁶³ Laprise-Haslip, recording.

¹⁶⁴ Beneteau, recording.

turn to something English and eventually lose the French language.”¹⁶⁵ He continued, “T’as juste une langue, faut pas la perdre, la langue francophone.”¹⁶⁶ Indeed, displeased with the local content available on CBEF, Paul Beneteau often turns to English media, primarily *The Windsor Star*, since it offers a greater variety and more in depth investigation of local issues than what the radio historically continues to provide in both languages. Numerous members of the community expressed their disheartenment that the only media sources available providing information about the local community are English sources, such as *The Windsor Star*, FM 96.7, and Detroit radio networks. Beyond the concerns about language and culture, the desire to have local community media is strong.

While the lack of local programming in the French language has required the community to turn to the local francophone newspaper *Le Rempart*, numerous members of the community expressed their disappointment that they do not have a broadcast network serving the region. Thomas Sobocan, an active member of Club Richelieu, highlighted that despite regularly reading and listening to *Le Rempart* and CBEF and attending social events organized by Club Richelieu and Place Concorde, local print media is inadequate in informing the francophone community about upcoming events, claiming that, [translation] “sometimes I find out about the events after they happen, because it didn’t hear it on the radio.”¹⁶⁷ While *Le Rempart* serves the francophone communities in the Windsor-Essex and Chatham regions, the newspaper is only a weekly publication with a maximum length of six pages, thereby limiting the quantity of coverage. Other community members affiliated with the Windsor-Essex region school boards praised *Le Rempart* as being one of the remaining pieces of community media serving the local francophone population. However, many noted that *Le Rempart* does not provide the same coverage of local school events and announcements as CBEF, a critical element missing since the cancellation of French programming on CBEF, limiting the ability of the school boards to publicize their activities. Despite these disadvantages, Paul Beneteau¹⁶⁸ stressed that *Le Rempart* is critical in the fight to maintain French language and culture within the community, as the paper, besides word-of-mouth, is the main source of advertising for clubs and organizations such as Club Richelieu. Prior to the cancellation, the club relied heavily on CBEF to promote and advertise their upcoming events, a role now fulfilled by *Le Rempart*.

But the feeling of detachment from media content is not unique to Windsorites. Roger Demers who lives in Chatham stated that he “never got into CBEF because it was all either Montreal or Windsor – that was not my reality in Chatham-Kent, there was very little Chatham information.”¹⁶⁹ Demers did not like the cuts, “When you are a minority group that we are in southern Ontario any way that you can promote the language... is going to help maintain it” he added.¹⁷⁰ But his commentary about irrelevance of Windsor news to his life in Chatham points to

¹⁶⁵ Guy Mayer, interview by Meirna Malaty, April 13, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁶⁶ Guy Mayer, recording..

¹⁶⁷ Thomas Sobocan, interview by Meirna Malaty, March 14, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁶⁸ Beneteau, P., recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁶⁹ Roger Demers, interview by Aidan Moir, March 22, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁷⁰ Roger Demers, recording.

the enormous complexity of audience needs that CBC/SRC has to address.

High school teacher Jean Sauvé similarly argued that the cancellation [translation] “takes out one of the last official things that showed the presence of the francophones in a far place, the border with the Americans.”¹⁷¹ Michel Dubé also indicated the assimilation fears are compounded by Windsor's proximity to the border: “It sounds like our voices will not be heard otherwise, there are just too many other voices that the French Canadian voice will be drowned out and assimilated by the prevalent other media, especially in the border town.”¹⁷² Dubé further provided a powerful example of assimilation fears materialized when he discussed a Broken City Lab event he had attended a few months earlier. Broken City Lab is a local art group that is not francophone but it nevertheless organized a street event highlighting French history and music in the area. Dubé spoke with enthusiasm about the stories that were told that day explaining the origins of French street and neighbourhood names, but then noted ruefully that several of the event organizers had French last names but did not speak French. “On se batt pour ça. Quand j'ai su qu'ils cassaient la radio de Windsor, je me suis dit 'That's it' Le pays est fini. 'They just broke the country'.”¹⁷³ The assimilation issue is bigger than CBEF, of course, and as one anonymous¹⁷⁴ interviewee stated, French speakers often feel that anything French is a battle: “We had to work for three years to keep the French mass. Whenever we have something in French, we have to fight to keep it.” Mae Caron¹⁷⁵ expressed a similar sentiment [translation]: “If we don't have that then the language would disappear, we're immersed in a sea of anglophone people. We have to do all what we can to continue to keep our language.” That sense of loss seems to be greater among older francophones as well. Thomas Sobocan reflected upon the changing nature of the station and consequently the loss to the community [translation]:

What's being done is very good. But we are always on the look out for more radio programs. Some people, who are older than me, tell me that some programs that they used to listen to and are no longer there, makes them very sad and they would like to have it back in order to fill out their normal life.¹⁷⁶

The feeling of loss of culture is identified as recent, and often associated with CBEF. Gisele Harrison, for instance, stated:

This community – even 20 years ago was really vibrant, it had a lot of enthusiasm and I think CBEF was a big part of the community being so alive... Some of the best Saint-Jean Baptiste celebrations were when they brought bands in that I would have never seen had they not done that.¹⁷⁷

¹⁷¹ Jean Sauvé, interview by Meirna Malaty, March 7, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁷² Michael Dubé, interview by Irena Knezevic, February 21, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁷³ Jean Sauvé, recording.

¹⁷⁴ Anonymous, interview by Meirna Malaty, March 14, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁷⁵ Mae Caron, recording.

¹⁷⁶ Sobocan, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁷⁷ Gisele Harrison, interview by Meirna Malaty, March 20, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

Both Gisele Harrison's and Paul Beneteau reflected memories of the vibrancy of the francophone community in the past. One significant change he has been the growing reliance upon clubs and organizations, such as with Club Richelieu, to organize and promote events ranging from dinners to film screenings in order to sustain the pride and cultural connection that was once the responsibility of CBEF. Commenting on the action by the community to sustain the local cultural community and promote local events, he noted that he "wasn't even aware of Club Richelieu until recently because we had so many French activities going on in each community" and that francophones previously did not have to "rely on Club Richelieu to go out of your way to maintain your culture and language. Now we have to go out of our way to maintain our culture and language, and feel that comfort zone and not have to worry about falling back to the English language in conversation."¹⁷⁸ Paul Beneteau, who currently presides as the President of Club Richelieu, noted that the reason for his initial membership in the club, later requiring his wife and children to join and take on an active role, was primarily due to the limited opportunities for francophones to engage with the social and cultural history of the community.

Immigration

To add another dimension to the considerations necessary in the case of CBEF in Windsor is the international immigration and Canadian migration to the city, specifically seeking out the French-speaking community. In addition to the historic francophone population, Windsor-Essex area is also home to new arrivals whose primarily language in the home is French. Many members of the community interviewed moved to the Windsor-area, coming from areas such as Sudbury, Quebec City, Lebanon, and Belgium. Numerous interview subjects commented on the diversity and multicultural composition of the region, emphasizing Windsor's growing immigrant population that boasts French as a first or second language with little to no working knowledge of English, and their reliance on French media to help integrate into the cultural community upon arrival in Windsor and Canada. Michel Brassard emphasized Windsor's French African community and their reliance on French media to connect to the local community, arguing, [translation] "You have this French African community who just came and it's a question of surviving for them because they don't know English. They need to know the information and all other things. They don't have the media that they could understand and the one they can is not even important to them."¹⁷⁹ Daniel Arbour of Collège Boréal noted that with the French community's multicultural composition, the majority of immigrants in the region are uninformed of the local events and activities occurring throughout the region since they are not capable of understanding and comprehending English media sources. As a result of the reduction of local French programming on CBEF, English media has become the dominant source of advertising for the French cultural community; the reliance on English media to promote the community poses a major disadvantage for the francophone immigrant population as they do not have a working knowledge of English and have very few local French community media sources to utilize in order to be properly informed. Arbour highlighted this disadvantage, noting that,

¹⁷⁸ Beneteau, P. , recording.

¹⁷⁹ Michel Brassard, interview by Meirna Malaty, March 11, 2011 recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

...because now, especially with Windsor having a large French immigrant population, I find that these individuals in the community have lost track of the services they have access to, which would be in French because of their community, because promotional tools are given out in the English World. If I can say, these people do not have the capabilities of understanding English, and can not listen to these forms of media and do not get the information.¹⁸⁰

Local resident Brent Sylvestre, in a similar fashion to Daniel Arbour and Michel Brassard, highlighted the inability to serve immigrant communities with French language media as one of the more critical consequences of the cancellation of programming. He voiced his concern since his neighbourhood is composed of recent French African immigrants with no working knowledge of English, unaware of what is happening in the community, because they do not have the options to receive local content through an oral medium like radio.¹⁸¹ A common current through all the commentary is that radio as an aural medium is uniquely situated to unite a community based on language.

Cultural and Educational Role of CBEF

CBEF Windsor is marked by notable past community involvement that has contributed to the preservation of French language and culture. Clayton Roy Lemieux referred to CBEF as “all I have...We don't even have the French paper everywhere here. I understand that this area is mostly English but I cannot just go to the store and get a Quebec paper, I have to go look for it downtown.”¹⁸² For Lemieux, who grew up in a French-Canadian family living in Detroit, French-language broadcasting is a key connection to his heritage. It was also identified a source of pride for the community. Windsor resident Liu Huaijin said, “I really love this language. It is so beautiful...and plus this French music is so good....different from...English songs....it is quite different. I personally enjoy listening to the language and the music ... and I want my children to listen to them too.”¹⁸³

CBEF played a key role in promoting francophone events in the area, such as Southwest Ontario Francophone Festival and Saint-Jean Baptiste Day, as well as Festival de la Moisson, the francophone harvest festival, semaine de francophonie, Jeux de la francophonies Canadienne, dinners done by local French clubs such as Club Richelieu, and Place Concorde, the historical theatre production *Echo d'un peuple*, *La Girouette* shows, and more. The station also took initiatives to preserve and record francophone music of the area by bringing prominent Canadian francophone musicians such as Damien Robitaille to Windsor. Paul Chauvin, a member of Club Richelieu, spoke of CBEF's promotion of local French musicians performing in both Windsor

¹⁸⁰ Daniel Arbour, interview by Aidan Moir, March 3, 2011 recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁸¹ Brent Sylvestre, interview by Meirna Malaty, February 17, 2011 recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁸² Clayton Roy Lemieux, interview by Irena Knezevic, May 4, 2011 recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁸³ Liu Huaijin, interview by Brianna Bertin, April 15, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

and Detroit that influenced him to go and support the local French culture and arts.¹⁸⁴ He shared the story of Beau Soleil, a band performing one weekend in Detroit on a Thursday and Friday. A CBEF local news reporter had attended the band's performance on the Thursday, and conducted an interview that night with the band that was broadcast the next morning on the station's French morning program. The reporter's interview with the band and the positive review of the concert inspired Chauvin to attend the Friday performance in Detroit. Reflecting on the critical role of CBEF in promoting cultural events within the community, Chauvin stressed that [translation] "It's nice to have a local station to tell you about these kinds of events."¹⁸⁵ Chauvin's reflection upon the cultural role of CBEF demonstrates the conception of the station viewed by the Windsor community as a unique educational tool promoting a greater awareness of French culture and language, such as in their support of local French folklore musician Marcel Beneteau. Reflecting upon the unique cultural role of CBEF, Thomas Sobocan expressed that [translation] "it's there to promote the French language. It's there for us to know what the others did in the French community. It's a way for the francophones of the region to be proud of other francophones in the region."¹⁸⁶

The station also used to be an immeasurable education tool for teaching language students about French culture, especially in CBEF's promotion of local French musicians and French deejays, who played a prominent role in sustaining and promoting the French culture in Windsor. Madelyn Della Valle, curator for French programming at the Windsor Community Museum, stressed the cultural role CBEF played in educating the community of the history of francophones in the region as well as promoting French events and exhibits produced by the Museum, an element that has been lost with the cutbacks to local programming, limiting the ability to promote and publicize upcoming activities:

We actually got pretty good media coverage from CBEF from reporters there that I've known for quite a while. They used to come and do actual interviews, they'd bring recorders and ask about the exhibits and I'd talk about it in French and then it would be on the radio. In the last little while since the cancellation, they did introduce a little local content, but it has been limited. What the reporters have to do now, to accommodate the very, reduced budget they have to work with, is they no longer come and interview us. They come and look at the exhibit and do their own reporting. And the reporter said the reason they did this is because there really isn't enough time. When they record they have to take a lot of time to edit that down to broadcast. They don't do that anymore, and that's one big change for us I've noticed.¹⁸⁷

Della Valle's argument that the cancellation of much of local programming has damaged the media representation of the Windsor Community Museum parallels the commentary of Didier Marotte, who is the Executive Director of Place Concorde, Windsor's French community centre.

¹⁸⁴ Paul Chauvin, interview by Meirna Malaty, March 1, 2011 recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁸⁵ Chauvin, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁸⁶ Sobocan, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁸⁷ Madelyn Della Valle, interview by Aidan Moir, March 1, 2011 recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

He is also a School Trustee for the Greater Essex County District School Board specializing in French education, and member of eight social groups that are francophone-based and responsible for organizing activities promoting the French language within the community. Responsible for managing media relations of Place Concorde and the district school boards, Marotte stressed that CBEF was their main venue to advertise and promote events occurring throughout the French community. The reduction of local content resulted in a loss of major advertiser for francophone activities, since “CBEF used to do that on our behalf, which they used to do and are no longer capable of doing because they are no longer local.”¹⁸⁸ Marotte highlighted the invaluable relationship between the community and CBEF, and the impact felt by the cancellation and reduced funding of the station:

Well, CBEF, we knew them well, they needed us and we needed them, so to speak. We had a reciprocal relationship with the local station. Charles Lévesque and Lisette Leboeuf, the broadcasters of the two morning shows, were extremely receptive in getting the word out and speaking about what’s going on in the community and get the word out about what’s happening in an informal fashion. However, we also had a very good relationship with the local management, and for things that were of big stature we could easily reach out to the management and set up a more formal approach to getting the word out and advertising the events. So the station was very, very, very helpful in supporting us in getting the word out, whether it was our events or another. The target audience of the francophone activities really is the francophone community. We’ve noticed they don’t listen to anglo stations, nor do we have any relationship with anglo stations. The commercial stations are very expensive and being a not for profit organization, and most francophone groups being not-for-profit, it’s kind of hard to budget on commercial stations that are local. We have tried, but cost is very high. However, we have used English media as a school board to get the word out about our schools, and the enrolment of children in our school system, and our daycare, and our full time enrolment has increased, because anglophones are more receptive to things that will affect the education of their children as opposed to listening to a French dinner ad. Those are two areas where the francophone station is missing and being felt and an anglophone station is not necessarily a good fit or good replacement for budgetary reasons and also because of the audiences they collect. *The Windsor Star* is one the largest print advertisers, and I don’t know how anyone can afford to advertise in it, they are very, very expensive.¹⁸⁹

CBEF further incorporated members of the Windsor francophone community, notably through broadcasting pageants and events produced by the local French language schools, facilitating a sense of pride and ownership among the francophone community. While he was not a regular listener of CBEF programming, Paul Beneteau admitted he would exclusively listen to the station when he could connect personally to the local radio personalities featured on its

¹⁸⁸ Didier Marotte, interview by Aidan Moir, March 8, 2011 recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁸⁹ Marotte recording.

programming: “I had a personal friend whom I went to high school with, who was and worked there, a deejay, and I would go out of my way to listen to her if I was in the car at the time.”¹⁹⁰ A coordinator and teacher at Ecole Secondaire L’Essor, Carole Papineau¹⁹¹ was not only a regular listener to CBEF, tuning in daily to programs such as *Bonjour le Monde* and *Grand Lac Café*, but she also played an active role in the station and its content, as a part of a panel on the weekly Friday morning program informing CBEF’s audience about school activities and upcoming events. Such sentiments expressed by Paul Beneteau and Carole Papineau reflect the role of CBEF’s local French programming in creating and facilitating a sense of pride and ownership in the community, elements missing with the cutbacks and the switch to a more nationalized programme schedule.

Given the growing popularity of the French-immersion school system and the enrolment of students whose parents view knowledge of a second language as a stepping stone to achieving government jobs for English-speaking Canadians, numerous French teachers interviewed noted that because of the cancellation of French programming on CBEF Windsor, students do not have the same access to conversational French as they did in the past. Since their parents do not necessarily speak the French language within the home and students do not have frequent opportunities to socialize in French amongst friends and family, the lack of French radio programming represents what Scott Scantlebury, Public Relations Officer for the Greater Essex County District School Board, termed as “the erosion of access to French language media.”¹⁹² Showcasing the disadvantages facing French immersion students whose mother tongue is English or a non-official language, Scantlebury explained,

...in many of the French immersion homes, they don’t get to speak it conversationally because their parents don’t speak French. And that’s the case in many households where students are in the French immersion program. Their main language at home is not French, and in some cases not English either, because we have a diverse community studying French. And they don’t have access to an opportunity to listen to conversational French unless they have a satellite dish to pick up a French station.¹⁹³

Renée Saad, a French language instructor at St. Joseph’s Secondary High School, stressed the critical importance of French radio broadcasting, and CBEF in particular, in enhancing the education of her students in both the language and culture. Reflecting on the reduction of French programming on CBEF Windsor and its impact on both the cultural community and the quality of French education in official minority communities, Saad noted that CBEF was an “easily accessible source of French culture, language, French music....to expose students to...encourage students to go beyond the classroom and find tune their ear to spoken French, the radio was the best....There [are] television programs, but it is not the same.”¹⁹⁴ Saad encouraged her students

¹⁹⁰ Beneteau, P., recording..

¹⁹¹ Carole Papineau, interview by Meirna Malaty, January 25, 2011 recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁹² Scott Scantlebury, interview by Aidan Moir, March 8, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁹³ Scantlebury, interview.

¹⁹⁴ Renee Saad, interview by Aidan Moir, March 2, 2011, recording, Radio Broadcasting, Community and

to listen to CBEF in order to further their French education and hear how French is spoken in “everyday life,” often creating assignments based upon programs on the radio requiring her students to reflect upon the cultural aspect of the station. Maggie Beneteau, French Language department head at St. Thomas of Villanova Secondary School in LaSalle, would tell her French students,

You want to hear French? Go in the car and turn the radio on. It’s a great way for our students, even the students who don’t speak French fluently, to practice, to get better. I miss that, and now I don’t have that option, when students come to me and go, ‘Miss, what do, I do?’ and their parents will ask, and it gave them a chance to practice. And now we don’t have that option.¹⁹⁵

Often her students, even those who did not come from a French-language home, would actively listen to the French broadcasts of hockey games in order to gain a greater understanding of conversational French “in action” as opposed to listening to the English broadcasts on the main media networks. As a parent whose children are enrolled in French-language schools in Windsor, Liu Hualjin supported the arguments of the community’s teachers, noting that the schools “do teach this language but many times I found the pronunciation of French they learn from school is so, it is not as beautiful as in the broadcast. So I would like to adjust their tones and pronunciations to the radio. It is a good source for them to learn, you know.”¹⁹⁶

CBEF was also unique in the fact that it would incorporate the local schools into its programming schedule, broadcasting events such as Christmas pageants and variety shows, facilitating a sense of pride and ownership within the francophone community. As one listener of the station commented, the inclusion of French students within CBEF programming was “somewhat of an encouragement. There would be programs once and a while where they would be interviewed. It would encourage the kids to participate.”¹⁹⁷

Nadine Deleury supported Saad’s opinion in facilitating enthusiasm amongst students and noted that CBEF encouraged a greater community investment in French cultural education. She highlighted that the symbiotic relationship between CBEF’s French community programming and the French language elementary and immersion students was a major source of cultural pride for the francophone community. Students were eager to listen to community news and cultural education programs and were proud of CBEF since it was one of few local French institutions available to them on a regular basis and recognized how privileged they were to have access to a French education.¹⁹⁸ Deleury stressed that since Canada is a bilingual country and has a cultural responsibility to sustain the vitality of official-language minority communities, it is critical for the Windsor community to encourage their students and future generations to listen to the local news and information in French on CBEF to ensure the continued survival of Windsor’s

Culture, Anne MacLennan, York University.

¹⁹⁵ Maggie Beneteau, interview by Aidan Moir, March 9, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁹⁶ Hualjin, recording,

¹⁹⁷ Anonymous, interview by Aidan Moir, March 22, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

¹⁹⁸ Nadine Deleury, recording..

historical francophone culture. Jean Sauvé, a teacher at École Secondaire l'Essor, commented that the reduction of the programming has had a detrimental effect on the soul of the community, stressing his disappointment that [translation] “some French teachers know nothing about the French community, they go home at night and watch English shows. It's like the French community is empty, it's like a language of robots now. It's supposed to be a language to know, to live in, to know the genealogy of the ancestors.”¹⁹⁹ Renee Saad expressed similar disappointment and concern at the threat the cancellation poses to the community as a whole, claiming that it is “terrible that the community does not have access to radio education with French programs because Canada is bilingual.”²⁰⁰

Elaine LeBlanc similarly called for better access to French-language media of all kinds, including films (in local theatres) and more music events. LeBlanc thought that this would be a good educational tool for the students in French and French immersion schools. She added that more and more parents in the area wanted their kids to know both official languages “because it can mean the difference between having a job and not having a job.”²⁰¹ In other words, some community members simply wanted French language content in greater volume and seemed less concerned with whether the content was local or not. Maggie Beneteau stressed the growing need to support French language education, especially within the context of Canada’s constantly changing cultural composition and the advantages knowledge of a second language in the current highly competitive job market: “It helps broaden our students, but the population’s perspective. We live in a multicultural society. Taking away from both official languages, I don’t think is a good thing. The world has become smaller with the Internet, and I don’t think it helps putting our kids at an advantage applying for jobs with people who speak three or four languages. Look at the increase in immigration in Canada. Most people in Toronto speak two or three languages, and those new immigrants are coming—and I know because my parents were part of that 50 years ago—they are going to kick our kids when applying for jobs.”²⁰²

Several high school students noted that the French educational community was their main source of connection to the French cultural community in the Windsor-Essex area. In Windsor-Essex there are thirteen French and five French-immersion grade schools and two French high schools with an active student and faculty population. Alexandra Bassa, a former student at École Secondaire E. J. Lajeunesse, highlighted that the school community was the main source of her connection to the French cultural community in Windsor, and leaving high school to attend university in Ottawa has resulted in a disconnection from her cultural heritage.

Now I rely on my sister who is still in school. I don’t find as much...because I’m not in Windsor anymore. I’m still in contact with some of my teachers, and if they tell me about things, I will go and be part of it if it interests me. I find there’s way more activities and French community things to do if you’re in high school. If you’re out of high school, the groups aren’t as frequent. In high school, they give you all information and opportunities to do, and once you’re

¹⁹⁹ Sauvé, recording.

²⁰⁰ Saad, recording.

²⁰¹ Elaine LeBlanc, interview by Brianna Bertin, April 7, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

²⁰² Beneteau, recording..

out, you're on your own.²⁰³

Osman Raza, a high school student who previously attended a French elementary school, noted that transferring to an English high school resulted in a major decrease in his usage of the French language among friends and family members. While attending his elementary school, his parents encouraged their children to speak the language at home and amongst their school friends, yet the transfer to an English school resulted in a dramatic decrease in French since the majority of his friends are now English speakers with no knowledge of French. He notes that he is now less involved in French community after switching to an English high school, and similar to the arguments of other interview subjects, stressed the major impact that school events and activities have on how involved one is in the French cultural community.²⁰⁴

Within the French schools, Federation de la Jeunesse Franco-Ontarienne (FESFO) is credited as a critical organization supporting French cultural communities across Ontario. In the case of CBEF Windsor, FESFO organized an awareness day to bring public attention to the reduction of local programming at the station, utilizing the French schools and community opinion leaders in the Windsor area to organize and promote the event in order to lobby for national attention. Alexandra Bassa, Nicholas Hyatt and Alexa Mouawad, three French high school students in the Windsor region and active participants and members in FESFO, played a key role in organizing and promoting the CBEF Windsor awareness day. Approximately two hundred members of the Windsor French cultural community, ranging from teachers, students, and radio listeners to MPPs and media members took part. The French schools promoted awareness of the station through their own activities, encouraging students to attend the main rally for the French community. Alexa Mouawad, a member of FESFO and the organization's Communication Agent in the Representative Council as well as a secondary student at École Secondaire l'Essor, was assigned the Radio-Canada portfolio by FESFO as an activist project, working to create awareness and greater involvement of French language radio among Ontario's francophone youth. Speaking of her experiences working for FESFO, Mouawad noted that:

We are working on the project to see if there are any advancements that the youth can make. Of course it has had an effect. All francophone high school students are members, and we've had members express concerns about CBEF being cut. We started working on it to see what we could do. We tried to sign petitions, but our efforts didn't amount to too much.²⁰⁵

A member of the committee organizing the CBEF awareness day in Windsor, Alexandra Bassa, shared her experiences working on the awareness project:

I actually participated in an event to keep CBEF open. Our school—there was—when we were told about it, events in school, and events outside of school

²⁰³ Alexandra Bassa, interview by Aidan Moir, January 27, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

²⁰⁴ Osman Raza, interview by Aidan Moir, January 27, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

²⁰⁵ Alexa Mouawad, interview by Aidan Moir, February 11, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

I was asked to go to because I was very involved in all the activities and they thought I could help. I went and I talked for a few minutes. We had a rally at school, we had a CBEF day and everyone wore green and white. The student council did a presentation about it, and I was asked to speak. There was an event at school to tell people about it, and then there was a community event at school board headquarters, which is also the community centre for French people. It was outside and they invited everyone from the community. I'm not sure of the numbers, I'm just saying a number, but I think like 200 people maybe showed up, mainly a bunch of teachers. It was an all-day thing with a barbeque, and then people had signs and flags saying 'we have a right to our own radio station' because they were going to cut the local news. So, when there were shows, they were going to be about Toronto, but it doesn't do anything for us. So they were guest speakers from the school board, guest speakers from the other French schools, and then I spoke.²⁰⁶

The schools form the core of a community and allow it to grow over the generations. Despite the fact that many of the reactions from interviewees came from teachers or students in French immersion programs, their connections represent potential growth or reinforcement of the community. The loss of the community station presents the loss of a crucial link for outsiders learning the language rather than enjoying a connection through birth.

Future of radio and community

Despite CBEF playing a major role in supporting the cultural community, very few members of the community interviewed actually listened to the station, and those who did rarely listened on a regular basis, except in the car on route to work and school during the mornings and afternoons. Reflecting upon her lack of familiarity with the programs featured on the station, high school student Alexandra Bassa reflected this trend, noting, "Actually, my dad listened to it more than I did... Whenever he was driving, it was on....only in the car. We don't turn on the radio at home."²⁰⁷ Similarly, high school student Osman Raza noted that his listening of CBEF was primarily in the car and only if his parents turned to the station.²⁰⁸ Such sentiments are also reflective of the place of the radio in the city's "car culture," sometimes tuning in to the morning programs; *Bonjour le monde* was often cited by numerous community members as the main program listened to in the car while driving their children to school and work. Those who did not listen to the station in the car during the morning, however, also admitted to low levels of listening, mainly due to the early morning and late afternoon scheduling of CBEF's local programs. Pauline Morais claimed she did not listen to French programming on CBEF because of scheduling conflicts, as in the mornings she was too busy preparing to leave for work to be able to listen.²⁰⁹ Diane Leonard-Humphrey, a high school coordinator, previously listened to programs such as *Bonjour le monde* and *Contact* while in the car on her way to work, however, she is unable to listen as she once did during her commute since the current local French

²⁰⁶ Bassa, recording.

²⁰⁷ Bassa, recording.

²⁰⁸ Raza, recording.

²⁰⁹ Pauline Morais, interview by Meirna Malaty, March 8, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

programming is scheduled too early in the morning.²¹⁰ Paul Beneteau associated his limited listening to CBEF to his personal taste and preference; unsatisfied with the lack of local content devoted to French culture, he prefers to play CD's of French and rock music both in his car during his commute to work and at home. Despite the fact that many listeners interviewed claimed they regularly listened to various programs on the station, they could not however recall any show names when pressed for particular personalities and program names, often casually referring to "the news."²¹¹

The mixed listening patterns imply a generational tension in which older and retired listeners regularly tuned in to programming on CBEF as opposed to younger generations. High school and university students admitted to not listening to not only the station, but the radio itself. Patrick Paulet suggested that "retired people listen more than the younger generation" and emphasized how many community members relied on CBEF for information, "It kept us informed about what was going to happen so we could participate... *Le Rempart* often tells us about events that have already happen[ed]."²¹² He argued that CBEF needs to be more considerate of what he believes is their relatively older, retired target audience, where the majority of seniors living at home during the daytime are eager to listen to local French programming instead of the current rebroadcasts of Toronto news. Younger community members, however, seemed to listen less to radio. Erica Everingham, a university student minoring in French described regularly socializing with a French student club but was not a CBEF listener at all.²¹³ Alexa Mouawad admitted she was not familiar with CBEF as a child growing up in Windsor, since her parents sporadically listened to the station while in the car driving her to school or extracurricular activities.²¹⁴ She claimed she only became aware of CBEF and its critical role in facilitating communal connections when appointed the Radio-Canada portfolio by FEFSO and asked by the Ontario organization to help promote greater awareness of the station amongst francophone youth in the Windsor-Essex region. Despite her involvement with FESFO to promote awareness of CBEF within the Windsor-Essex community, she herself is still not a frequent listener, primarily due to a demanding schedule.

Everingham indicated that other media were as important and that French language and culture could be as easily promoted through other media such as film.²¹⁵ Due to the French language programming cancellation and the lack of alternative community media serving the language minority community, numerous individuals highlighted French film screenings as a new way to support both the local francophone culture and recreate the communal connections lost since the cancellations on CBEF. Maggie Beneteau²¹⁶ spoke of her involvement in Club Richelieu by organizing bi-monthly film and dinner nights, where members of the francophone community would gather first for dinner, where conversation is restricted to French, followed by a screening

²¹⁰ Diane Leonard-Humphrey, interview by Meirna Malaty, February 10, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

²¹¹ Beneteau, P., recording.

²¹² Patrick Paulet, interview by Aidan Moir, March 18, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University..

²¹³ Erica Everingham, interview by Brianna Bertin, April 1, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

²¹⁴ Mouawad, recording.

²¹⁵ Everingham, recording.

²¹⁶ Beneteau, M., recording,

of various Quebec films, such as *Un été sans point ni coup sur*. Elaine LeBlanc, a French language teacher for 34 years, argued for a greater incorporation of film into the elementary and secondary curricula since it is an informative yet entertaining education tool.²¹⁷ Others saw radio as crucial. Jean Guy Mboudjeke, a professor of French literature at the University of Windsor, thinks that “radio is a good way to preserve an endangered language, the government may argue that French is not endangered, but I disagree, in a bilingual country French speakers should be able to live in their language”²¹⁸ and adds that he always encourages his students to listen to CBEF. Paul Laprise-Haslip highlighted that radio is still the preferred medium of choice for older francophones, noting that amongst older generation francophones, “there is still not a strong penetration of Internet usage by senior francophones. They will listen to the radio, and they are not as able to use the technology of the Internet and satellite to cars and vehicles as we will be in a couple of generations.”²¹⁹

While numerous community members interviewed expressed the profound loss and the threat that the cancellation of French language programming poses to the cultural community, there was a sense of optimism about the future of the community, dominantly associated with the rise of the Internet and new media technology. Speaking about whether the French cultural community in minority language communities can survive or be promoted as easily by another medium besides radio, Maggie Beneteau passionately spoke of the future of the Windsor community:

They may have taken away the CBC/CBEF, but the spirit is still here. The French community here has faced more challenges. The French community here has faced a lot worse downfalls—obstacles I’m going to say—to survive. Taking CBEF away, okay that is a negative, but I do think we are going to get it back. And if we don’t specifically get it back, something else better will come along. I’m pretty aware of the strength of the French community here, and it’s going to take a lot more than taking away a radio station for it to disappear.²²⁰

The cancellation of French language programming has caused the community to discover new promotional tools, and email and the Internet have emerged as the medium of choice for local Windsor residents, requiring at times a more active participation of individual members to promote the community than what was required when CBEF dominantly fulfilled this role. When asked how community members find out about cultural events and activities occurring throughout the area, numerous interviewees cited the internet as their central source of information over *Le Rempart*, word-of-mouth, and school bulletins and announcements. Listserves in particular have emerged as a new method to organize and promote activities. Paul Laprise-Haslip in particular noted that his knowledge about upcoming francophone events arrives via emails from other francophones in the area, since “the francophones here have a little network of emails...promoting activities that would have previously been on the radio.”²²¹ He

²¹⁷ LeBlanc, recording.

²¹⁸ Jean Guy Mboudjeke, interview by Aidan Moir, April 6, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

²¹⁹ Laprise-Haslip, recording.

²²⁰ Beneteau, M., recording.

²²¹ Laprise-Haslip, recording.

also found the cultural community's burgeoning list-serve as a more effective way to promote the area. The medium offers an opportunity to go back and reread an email or Internet notice, in contrast to the radio, where advertisements and announcements are over after fifteen to thirty seconds. Other francophones emphasized the likelihood of missing an announcement over the radio is far greater; one anonymous²²² interviewee praising the reliance upon email as a more practical and efficient way to promote the community, improving upon CBEF's role as a promotional vehicle.

Contradictions

Many of the comments made by the community members addressed the above noted common themes of assimilation, immigration and education. Some of those comments, however, were contradictory and revealing of the rich diversity that increasingly characterizes not only the francophone community in Windsor and area, but also linguistic minority communities across the country.

For instance, those who stressed the educational role of CBEF emphasized the value of the station for French and French-immersion students in that it helped them with conversational French. However, it was unclear how the French-language programming available after the 2009 cuts failed to contribute in the same way. Several interviewees suggested that the relationship between the station and the community was altered, but made no acknowledgement that the station was continuing to contribute to the linguistic community, albeit in a way that is perceived as inferior by some.

Several interviewees identified the historical significance of the francophones in the area and stressed that ancestry dating back to the 17th century was essential to understanding the cultural makeup of the region. Others, however, focused on the influx of French-speaking immigrants. But the two aspects of the francophone community may be worlds apart, as the French-speaking immigrants who come from Africa or the Middle East are far from integrated into the French Canadian community in the region and hardly fit into the aspirations of cultural preservation of Franco-Ontarians. The linguistic similarity here is accompanied by a cultural diversity, which to some extent illustrates how complex the identified cultural needs in the area are and how difficult it would be for CBEF to fulfil all those roles.

Assimilation was another issue that was repeatedly brought up in the interviews. Some of the subjects seem to perceive the CBEF programming cuts as a part of a larger assimilationist agenda of anglophone Canada. It is completely understandable that this would be an initial reaction to any imposed changes to the cultural landscape of Franco-Ontarians – the region's history is a sufficient explanation for such reactions. However, what is lost in the discussion is that CBC and SRC are virtually separate and operate as independent networks. In other words, the decisions regarding where funding cuts are to take place are made by the SRC – the French-language network. Moreover, such decisions are never made lightly. As Benoit Quenneville, director of Ontario regional programming for Radio-Canada, stated:

²²² Anonymous, interview by Meirna Malaty, March 25, 2011, recording, Radio Broadcasting, Community and Culture, Anne MacLennan, York University.

It's not something we enjoy doing... but there was too much money [lacking] at that time... We have been having a dialogue with SOS CBEF...we have been seeking their input on how to improve what we do with the resources we have. I wish we could do more, but all the decisions have to be made in the context of the resources that are there.²²³

Similarly, some of the subjects referred to the cuts in ways that implied that station was lost all together. In a way, some community members were reacting to the loss of most of its local programming as they would to complete loss of the only French-language station. Seemingly, the loss of local programming meant that the station played no role in their community any longer. But on the other hand when asked about contributing to vitality of francophone minority community (regardless of legal obligations or the absence of them)²²⁴, Mr Quenneville said, “That's how we see our role. I have spent my entire professional life, 28 years, in communities outside of Quebec. It's my professional mission, and I think that's we do. That's why we exist, to support the communities that we serve. We try to do best with the resources we have, the intent is there.”²²⁵ Mr. Quenneville indicated that the last thing CBC/SRC wanted was an adversarial relationship with any of the communities they serve and that he perceived it to be his role to maintain that relationship. Shortly after the cuts were announced, he met with the community along with the Louis Lalande, Director of regional services for Radio-Canada across the country. The president of the CBC also met with the community, which was then followed by a series of teleconferences with SOS CBEF to consider the best possible way to proceed: “The ultimate goal would be to re-establish at least the morning show, but that would require a lot of money that we don't have... We want to have as many listeners as possible, we want the community to connect with us,” also noting that, “In my region, I would not say that ratings don't matter, but it is not my priority. My priority is to serve French-speaking people in a minority environment.” The corporation's dedication to the region is also apparent in his following statement:

Windsor compared to the rest of Ontario... in some ways they are at an advantage... there are communities where we are not present at all. The area around Midland and Pentanguishene – we don't even have a reporter there. In Welland or the old Niagara region we have one reporter based in Mississauga who covers the whole region and he goes all the way to London, he does Brampton, Mississauga, and Hamilton... So there are a lot of regions where we go but are not there full time or are not there at all, same thing in the North.²²⁶

Asked to elaborate on this, Quenneville added:

Toronto has a provincial mandate as well as a local mandate. Some of the people based here cover Queen's Park, for instance. So, when they do it, they do it for

²²³ Quenneville, recording.

²²⁴ It must be acknowledged that any obligation of CBC/SRC to do so would be linked to the OLA. Mr. Quenneville was asked to answer if the CBC/SRC was doing so in Ontario, regardless of whether it was legally obligated to do so.

²²⁵ Quenneville, recording

²²⁶ Quenneville, recording.

Toronto, but they do it for the rest of province as well, and they do it for the network, for national news. We have a crew here that works for RDI, which is the French NewsWorld. They are based in Toronto but their mandate is to talk to the country and to cover everything in Ontario... We have a sports person on the morning show in Toronto. He also participates in the morning shows in Sudbury and in Windsor, what we call our 'windows' – the inserts, “La fenetre de Windsor” – the local content that is provided to Windsor area in the morning. Well, the sports guy in Toronto participates in that and when he talks to Windsor, he talks about the sports scene in Windsor, from Windsor perspective. Even though he is based in Toronto, he provides service to other regions... This province is huge and francophones are everywhere. Half of the French-speaking population in Ontario lives in the south the other half up north. It's hard to find a community or an area or a sub-region where you won't find any francophones. So, how do you provide services to everybody? We don't have anyone in Thunder Bay. You can say 'well, it's a small [francophone] community, Thunder Bay' ... but there are French-speaking people in Thunder Bay, it's one of the big cities of this province... and where is the nearest Radio-Canada station or nearest reporter? It would be Winnipeg station, which is 6 or 7 or even 8 hours away. And we have somebody in Hearst, 6 or 7 hours from Thunder Bay. This is not to say that Windsor is not an important community, it is... but how do I provide the best service to everybody with the resources we have – it's a challenge...Sudbury covers half of the province, half of the population and more than half of the territory. Toronto has a similar role in the south. That's where you can actually make a comparison, to compare Sudbury to Windsor – we are not talking about the same thing neither in terms of population nor in terms of the territory.

It is evident that while CBC/SRC local programming in Windsor may still be insufficient, in comparison to what is delivered in the rest of the province, the area is doing quite well. In fact, if CBC/SRC had access to more resources it seems that several other areas of Ontario should likely take priority for improved service.

Local French-Language Programming Recommendations for the Future

The empirical findings show there is little doubt that local media content is deemed culturally essential for the francophone linguistic minority in Southwestern Ontario. The interview subjects repeatedly identified the crucial role of local programming in linguistic and cultural preservation, the multifunctional nature of such programming that included educational and informational facets, and the sense of dread and mourning associated with loss of such programming. It is therefore one of our conclusions that the official linguistic minority communities generally, and the francophone community in Windsor and the surrounding area specifically need to be better supported in their need for local media content across formats. We would like to emphasize the fact that this conclusion is *not* a unique finding but rather a reiteration of numerous other studies and reports that identified the same issue, as previously noted.

We further conclude that radio continues to play an essential role in Canadian mediascape. Our findings indicate that while new media play an increasingly significant role in the lives of Canadians, many citizens continue to rely on radio out of habit or out of necessity. Some find radio to be more convenient and more enjoyable, while others are simply unable to access new media technologies for reasons of mobility, affordability and digital literacy. While the samples is not large enough to make the argument, there are certainly indications that the older members of the Windsor francophone community were more likely to be connected to radio and feel the gap that the cut in local programming created.

At the same time, however, we observe that local cultural content is becoming an increasingly complex issue. Local programming is meant to provide content that the audiences can easily relate to. It is also intended to provide community-pertinent news. Raboy and Taras argue with respect to news that it may be even more important for the CBC to provide local news in smaller centres, as the larger urban centres are already sufficiently served by multiple broadcasters.²²⁷ It should be noted that we observe that the broadcaster is already doing a superb job given its limited resources. With respect to cultural content, however, the growing diversity of Canada's linguistic groups must be recognized and outdated notions of what Franco-Ontarian or linguistic minority relevant content may run the risk of presumption and exclusivity. For some, Montreal or Toronto based content may indeed be more relevant. For instance, a French-speaking Haitian-Canadian in Windsor may be more interested in a show about the Haitian-Canadian community in Montreal than they would in the francophone history of Southwestern Ontario. In short, rather than seeing piped programming that originates elsewhere in the country as a hindrance to cultural vitality, this content can be seen as contributing to vitality of increasingly diverse linguistic minority communities.

We also conclude that the CBC/SRC services have continued to fill the informational and cultural gap in linguistic minority communities where other media have failed to do that adequately or have been completely absent. CBC/SRC has continued to do so despite the growing financial challenges faced by the Crown corporation.²²⁸ For francophones in the Windsor and

²²⁷ Marc Raboy and David Taras, "On life support: The CBC and the future of the public broadcasting in Canada," In David Taras, Marija Bakardjeva and Frits Pannekoek, eds., *How Canadians Communicate II: Media, Globalization and Identity* (Calgary: University of Calgary Press, 2007), 101.

²²⁸ Ibid.

area the national broadcaster's local content on the radio and television is sometimes the only way to access local information in French. The sole exception to this is the local newspaper, *Le Rampart*, but its biweekly publication makes it insufficient to keep the francophone community connected and informed.

We acknowledge the importance of language legislation in Canada and agree with Pierre Foucher that rights, including language rights, must be granted by institutions to carry legitimacy.²²⁹ We also recognize that while both anglophone and francophone minorities in Canada face cultural, social and political challenges, francophone challenges are compounded by the dominance of English as the language of traditional mass media, new media and business. However, we believe that stronger support needs to be provided at all levels of federal institutions and that official language minority communities may be better served through provision of resources for community-based media production and earmarked funding to media institutions. We conclude that the official language policy thus far has failed to properly address the issue of broadcasting in minority context. While funding is provided for official language minorities' art and cultural production, there is no targeted funding for broadcasting or for supporting the national broadcaster to improve the work already being done. We note for example that millions of dollars are distributed each year for enhancement of official language minority communities, and that some of that funding is designated for arts and culture, but that there is no specific broadcasting funding and no funding support to CBC/SRC to improve service to linguistic minorities.²³⁰

We further conclude that CBC/SRC already fulfils its own mandate to the best of its abilities. Moreover, we agree with the Crown Corporation that its *programming* is not subject to OLA, but suggest that even if the courts disagree with us, the broadcaster already meets the OLA requirements. If indeed subject to OLA, the broadcaster's programming must be provided in French as there is substantial need for that in Windsor and the surrounding area, however, nothing in OLA suggests that the broadcaster is responsible to provide *local* content. We make this observation hesitantly, as we agree with the broadcaster that its programming should not be under the Commissioner of Official Languages' jurisdiction. As the Commissioner is a government appointed bureaucrat, we fear that such jurisdictional powers would threaten and jeopardize CBC/SRC's independence from the government. Section 46(5) of the *Broadcasting Act* explicitly declares that "The Corporation shall, in the pursuit of its objects and in the exercise of its powers, enjoy freedom of expression and journalistic, creative and programming independence." While hiring practices, language of work issues and ability of the public to communicate with the broadcaster's offices across the country are clearly something that the Commissioner should have jurisdiction over, the actual product – the CBC/SRC's programming – should be kept at arm's length.

²²⁹ Pierre Foucher, "Legal Status of Anglophone Communities in Quebec: Options and Some Recommendations," In Richard Y. Bourhis, ed., *The Vitality of the English-Speaking Communities of Quebec: From Community Decline to Revival* (Montreal and Moncton: Centre d'études ethniques des universités montréalaises and Canadian Institute for Research on Linguistic Minorities, 2008), 19-34.

²³⁰ Office of the Commissioner of Official Languages, *Federal Government Support for the Arts and Culture in Official Language Minority Communities*, 2008, http://www.ocol-clo.gc.ca/docs/e/arts_culture_e.pdf, accessed December 2010.

We also find that the Commissioner has already overstepped his powers with respect to the CBC/SRC. In his 2008 letter to the CRTC, The Commissioner criticized the CBC indicating that he regularly received complaints from the public and that the broadcaster need to show greater effort in reflecting all cultural realities in Canada.²³¹ However, the issue of reflecting Canadian communities is a matter of the *Broadcasting Act* and therefore only enforceable by the CRTC. In other words, even if that provision is interpreted as an obligation to provide local programming, the issue is *not*, as the CBC seems to correctly argue in the CBEF case, within the Commissioner's jurisdiction.

In light of these conclusions we make the following recommendations:

RECOMMENDATION 1

We recommend that the Commissioner of Official Languages acknowledge that CBC/SRC is outside of his jurisdiction and allow the broadcaster to continue working directly with the community in finding ways to improve local programming on CBEF in Windsor, Ontario.

RECOMMENDATION 2

We also recommend that the federal government and specifically the Department of Heritage allocate appropriate funds for community media productions for official language minority communities across the country. Part of such funding should be allocated to the CBC/SRC as earmarked funding for local programming for linguistic minorities.

RECOMMENDATION 3

We further recommend that the CBC/SRC explores the possibilities of actively engaging Windsor's francophone community in content production. Facilitating community radio programming through provision of studio space, equipment, and technical expertise can provide the much need space for community fostering while allowing the CBC/SRC staff to continue providing the quality programming as resources allow.

RECOMMENDATION 4

We recommend that every attempt to ease the burden of broadcasting in two official languages be explored through the use of new technology and digital broadcasting. While production and creative costs may remain virtually the same, some physical costs may be saved, thus sustaining linguistic minority broadcasting.

²³¹ Graham Fraser, Broadcasting Public Notice CRTC 2008-12 – Review of English- and French-language broadcasting services in English and French linguistic minority communities in Canada, 2008.

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Appendix 1
RELEVANT CENSUS DATA

Population Totals

Year	Windsor	Sudbury	London	Ottawa	Lambton	Ontario	Canada
2006	216,473	157,857	352,395	812,129	128,204	12,160,282	32,623,490
2001	208,402	155,219	336,539	774,075	126,971	11,410,046	31,021,251
1996	197,694	164,049	325,646	721,100	128,948	10,753,573	29,610,757
1991	191,435	161,210	303,165	678,147	128,975	10,084,885	28,031,394
1986	193,111	152,476	269,202	606,640	123,445	9,101,694	26,101,155
1981	192,083	159,779	254,280	546,850	124,592	8,625,107	24,820,393
1976	196,526	167,705	240,392	520,475	120,575	8,264,465	22,992,604
1971	203,300	169,048	223,222	471,931	114,115	7,703,106	21,568,311
1961	114,367	110,694	181,283	358,410	102,131	6,236,092	18,238,247
1951	120,049	109,590	72,396	246,298	74,960	4,597,542	14,009,429
1941	104,415	80,815	64,833	206,367	56,925	3,787,655	11,506,655
1931	63,108	58,251	59,821	174,056	54,674	3,431,683	10,376,786
1921	38,591	43,029	NA	152,868	NA	2,933,662	8,787,949
1911	17,829	29,778	NA	123,417	54,412	2,527,292	7,206,643
1901	12,153	16,103	NA	101,102	NA	2,182,947	5,371,315

Source: Population of Canada, by province, census dates, 1851 to 2006, Statistics Canada, Series A2-14

Knowledge of Official Languages Windsor

Year	English	French	English and French	Neither English nor French
2006	191,195	285	18,905	3,875
2001	182,035	420	19,540	3,865
1996	173,610	375	17,200	3,945
1991	126,725	385	27,685	3,690
1986	219,640	545	28,175	2,725
1981	216,395	600	28,250	3,185
1976	NA	NA	NA	NA
1971	218,780	1280	33,490	5,100
1961	100,384	689	11,623	1,671
1951	103,261	440	15,110	1,238
1941	73,645	528	15,591	204
1931	54,889	271	6,871	1,077
1921	NA	NA	NA	NA
1911	NA	NA	NA	NA
1901	NA	NA	NA	NA

Mother Tongue- Windsor

Year	English	French	Non Official Language
2006	144,305	5,930	60,365
2001	139,730	6,895	56,080
1996	140,540	7,145	43,300
1991	142,150	7,515	33,790
1986	190,690	12,230	36,095
1981	186,315	15,315	40,518
1976	187,310	18,175	NA
1971	149,180	14,305	NA
1961	80,343	9,591	NA
1951	88,641	12,507	NA
1941	NA	NA	NA
1931	NA	NA	NA
1921	22,189	205	NA
1911	NA	NA	NA
1901	NA	NA	NA

Knowledge of Official Languages-Ottawa

Year	English	French	English and French	Neither English nor French
2006	479,740	12,985	298,245	10,300
2001	463,190	10,500	279,475	10,625
1996	429,720	10,565	263,275	10,325
1991	426,620	87,865	388,100	9,510
1986	NA	NA	NA	NA
1981	333,130	14,680	189,925	4,645
1976	not listed	Not listed	not listed	not listed
1971	322,270	78,780	196,750	4,760
1961	188,819	8,989	66,972	3,426
1951	137,857	8,412	55,267	509
1941	NA	NA	NA	NA
1931	84,620	6,948	34,933	371
1921	52,594	1,536	27,215	not listed
1911	NA	NA	NA	NA
1901	NA	NA	NA	NA

Mother Tongue-Ottawa

Year	English	French	Non Official Language
2006	501,870	119,445	164,135
2001	485,825	115,220	147,310
1996	469,120	110,235	121,090
1991	459,345	110,010	84,685
1986	415,705	102,830	58,630
1981	418,940	92,125	NA
1976	366,645	99,510	NA
1971	334,110	97,975	NA
1961	188,072	56,882	NA
1951	144,153	50,290	NA
1941	120,149	86,543	NA
1931	NA	NA	NA
1921	NA	NA	NA
1911	NA	NA	NA
1901	NA	NA	NA

Knowledge of Official Language-Sudbury

Year	English	French	English and French	Neither English nor French
2006	92,865	2,550	60,695	285
2001	90,255	1,730	61,440	465
1996	94,895	2,455	64,605	545
1991	92,630	3,005	60,050	430
1986	NA	NA	NA	NA
1981	89,695	4,190	53,900	905
1976	NA	NA	NA	NA
1971	94,175	8,140	51,350	1,795
1961	102,248	10,993	49,851	2,770
1951	64,365	8,147	35,658	1,420
1941	47,777	7,984	24,266	788
1931	31,039	7,146	17,252	2,814
1921	NA	NA	NA	NA
1911	NA	NA	NA	NA

Mother Tongue-Sudbury

Year	English	French	Non Official Language
2006	99,445	42,950	11,775
2001	95,985	43,350	11,790
1996	99,685	45,920	13,265
1991	97,080	43,850	12,965
1986	87,315	39,265	13,600
1981	104,130	35,655	Not Available
1976	97,805	49,690	Not Available
1971	50,195	24,455	Not Available
1961	82,559	54,940	Not Available
1951	52,174	39,843	Not Available
1941	34,280	30,262	Not Available
1931	Not Available	Not Available	Not Available
1921	Not Available	Not Available	Not Available
1911	Not Available	Not Available	Not Available
1901	Not Available	Not Available	Not Available

Knowledge of Official Languages-London

Year	English	French	English and French	Neither English nor French
2006	337,820	4,940	1,730	4,195
2001	303,795	120	25,140	3,885
1996	363,355	140	26,065	4,345
1991	348,030	120	24,105	4,465
1986	NA	NA	NA	NA
1981	262,520	955	16,585	2,355
1976	NA	NA	NA	NA
1971	270,695	210	12,630	2,740
1961	162,535	173	5,859	1,002
1951	92,639	67	2,206	431
1941	NA	NA	NA	NA
1931	69,901	13	943	291
1921	48,059	5	735	NA
1911	NA	NA	NA	NA
1901	NA	NA	NA	NA

Mother Tongue-London

Year	English	French	Non Official Language
2006	271,330	5,115	69,015
2001	265,805	4,615	59,070
1996	326,080	4,465	58,665
1991	324,080	4,310	45,065
1986	231,215	2,845	27,880
1981	230,360	2,770	not listed
1976	235,685	2,790	not listed
1971	193,935	2,550	not listed
1961	150,086	1,656	not listed
1951	89,873	722	not listed
1941	82,835	531	not listed
1931	NA	NA	NA
1921	NA	NA	NA
1911	NA	NA	NA
1901	NA	NA	NA

Knowledge of Official Languages-Kent County

Year	English	French	English and French	Neither English nor French
2006	98,810	75	7,685	580
2001	97,420	85	7,490	490
1996	98,755	125	7,895	615
1991	NA	NA	NA	NA
1986	NA	NA	NA	NA
1981	NA	NA	NA	NA
1976	NA	NA	NA	NA
1971	92,355	275	7,955	535
1961	82,838	369	5,845	375
1951	72,111	403	5,818	796
1941	60,288	216	5,710	132
1931	56,280	616	5,308	661
1921	NA	NA	NA	NA
1911	NA	NA	NA	NA
1901	NA	NA	NA	NA

Mother Tongue-Kent County

Year	English	French	Non Official Language
2006	92,955	2,865	10,515
2001	92,210	3,750	8,970
1996	93,715	3,495	9,295
1991	95,565	3,650	8,635
1986	100,260	3,260	7,485
1981	NA	NA	NA
1976	92,160	5,060	NA
1971	100,760	3,515	NA
1961	73,821	4,613	NA
1951	65,213	5,028	NA
1941	54,726	5,307	NA
1931	NA	NA	NA
1921	NA	NA	NA
1911	NA	NA	NA
1901	NA	NA	NA

Knowledge of Official Languages-Lambton County

Year	English	French	English and French	Neither English nor French
2006	117,810	65	8,400	265
2001	116,635	115	8,445	370
1996	118,780	115	8,235	405
1991	NA	NA	NA	NA
1986	NA	NA	NA	NA
1981	NA	NA	NA	NA
1976	NA	NA	NA	NA
1971	106,950	250	6,530	585
1961	96,255	371	4,943	562
1951	NA	NA	3,282	476
1941	55,786	13	1006	120
1931	53,397	30	877	370
1921	NA	NA	NA	NA
1911	NA	NA	NA	NA
1901	NA	NA	NA	NA

Mother Tongue-Lambton County

Year	English	French	Non Official Language
2006	113,020	2,805	9,935
2001	112,965	2,570	9,085
1996	114,235	2,665	9,710
1991	115,140	2,800	8,985
1986	119,960	2,685	8,615
1981	107,380	3,440	NA
1976	NA	NA	NA
1971	86,210	5,285	NA
1961	88,316	3,542	NA
1951	NA	NA	NA
1941	52,618	635	NA
1931	NA	NA	NA
1921	NA	NA	NA
1911	NA	NA	NA
1901	NA	NA	NA

Knowledge of Official Languages-Canada

Year	English	French	English and French	Neither English nor French
2006	21,129,945	4,141,850	5,448,85	520,385
2001	20,014,645	3,946,525	5,231,570	446,285
1996	19,134,250	4,079,085	4,841,320	473,475
1991	18,106,760	4,110,300	4,398,665	378,320
1986	16,716,905	3,957,730	4,056,160	291,215
1981	16,122,900	3,987,245	3,681,960	91,395
1976	NA	NA	NA	NA
1971	14,469,540	3,879,255	2,900,155	319,360
1961	12,284,762	3,489,866	2,231,172	232,447
1951	9,387,395	2,741,812	1,727,447	152,775
1941	7,735,486	2,181,746	1,474,009	115,414
1931	6,999,913	1,779,338	1,322,370	275,165
1921	NA	NA	NA	NA
1911	NA	NA	NA	NA
1901	NA	NA	NA	NA

Mother Tongue-Canada

Year	English	French	Non Official Language
2006	17,882,775	6,817,655	6,147,840
2001	17,352,315	6,703,330	5,202,240
1996	16,890,615	6,636,655	4,598,290
1991	16,516,180	6,505,575	3,549,295
1986	15,334,075	6,159,745	2,860,565
1981	16,425,900	5,923,010	1,567,405
1976	14,122,770	5,887,205	NA
1971	12,973,810	5,793,650	NA
1961	10,660,534	5,123,151	NA
1951	8,280,809	4,068,850	NA
1941	6,448,190	3,354,753	NA
1931	5,914,402	2,832,298	NA
1921	3,916,304	877,514	NA
1911	NA	NA	NA
1901	NA	NA	NA

Appendix 1 Sources

For 1921 to 1931, *Census of Canada, 1931*, vol. I, table 28; for 1941 to 1961, *Census of Canada, 1961*, vol. I, part 2, table 63, (Catalogue 92-549); for 1971, *Census of Canada, 1971*, vol. I, part 3, table 17, (Catalogue 92-725); for 1976, *Census of Canada, 1976*, vol. II, table 1, (Catalogue 92-821); Statistics Canada. *Cumulative Profile, 2006 - Canada, Provinces and Territories* (table), 2006 Census of Population (Provinces, Census Divisions, Municipalities) (database), Using E-STAT (distributor).

http://estat.statcan.gc.ca/cgi-win/cnsmcgi.exe?Lang=E&EST-Fi=EStat\English\SC_RR-eng.htm; Statistics Canada. *Cumulative Profile, 2001 - Canada, Provinces and Territories* (table), 2001 Census of Population (Provinces, Census Divisions, Municipalities) (database), Using E-STAT (distributor).

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http://estat.statcan.gc.ca/cgi-win/cnsmcgi.exe?Lang=E&EST-Fi=EStat\English\SC_RR-eng.htm; Statistics Canada. *Cumulative Profile, 1991 - Canada, Provinces and Territories* (table), 1991 Census of Population (Provinces, Census Divisions, Municipalities) (database), Using E-STAT (distributor).

http://estat.statcan.gc.ca/cgi-win/cnsmcgi.exe?Lang=E&EST-Fi=EStat\English\SC_RR-eng.htm; Statistics Canada. *Cumulative Profile, 1986 - Canada, Provinces and Territories* (table), 1986 Census of Population (Provinces, Census Divisions, Municipalities) (database), Using E-STAT (distributor).

http://estat.statcan.gc.ca/cgi-win/cnsmcgi.exe?Lang=E&EST-Fi=EStat\English\SC_RR-eng.htm

Appendix 2 CBEF MARKET SHARE DATA

* CMA – Central Metropolitan Area
(1986-1996 data collected from the *Windsor Star* reports, 1996-2009 from BBM archives)

Year	Survey	Listeners CMA*	Listeners Coverage area	Market Share in Windsor	Notes
2010	Fall	--	--	--	NO DATA AVAILABLE
2010	Spring	--	--	--	NO DATA AVAILABLE
2009	Fall	2300	2600	0.2%	
2009	Spring	1100	1100	0.4%	
2008	Fall	1600	2000	0.2%	
2008	Spring	2100	2100	0.5%	
2007	Fall	1600	2000	0.2%	
2007	Spring	1000	1900	0.1%	Average Weekly Hours: 4.2 (CMA)
2006	Fall	3000	3300	0.5%	Average Weekly Hours: 8.9 (CMA)
2006	Spring	1200	1400	0.3%	Average Weekly Hours: 12.2 (CMA)
2005	Fall	1300	1800	0.4%	Average Weekly Hours: 14.1 (CMA)
2005	Spring	1300	2800	0.4%	Average Weekly Hours: 17.5 (CMA)
2004	Fall	1400	1500	0.2%	Average Weekly Hours: 8.2 (CMA)
2004	Spring	600	600	--	Average Weekly Hours: 1.1 (CMA)
2003	Fall	500	900	0.1%	Average Weekly Hours: 6.0 (CMA)
2003	Spring	2400	2400	0.8%	Average Weekly Hours: 16.3 (CMA)
2002	Fall	800	1100	--	Average Weekly Hours: 1.3 (CMA)
2002	Spring	2400	2600	0.4%	Average Weekly Hours: 8.1 (CMA)
2001	Fall	2500	2600	0.6%	Average Weekly Hours: 11.7 (CMA)
2001	Spring	900	1100	0.1%	Average Weekly Hours: 4.9 (CMA)
2000	Fall	--	--	0.1%	
2000	Spring	2000	2000	0.6%	Average Weekly Hours: 14.8 (CMA)
1999	Fall	1400	1500	0.1%	Average Weekly Hours: 4.7 (CMA)
1999	Spring	1300	2000	0.2%	Average Weekly Hours: 7.2 (CMA)
1998	Fall	1600	2500	0.1%	Average Weekly Hours: 3.4 (CMA)
1998	Spring	600	600	0.1%	Average weekly hours: 6.7 (CMA)
1997	Fall	--	--	--	NO DATA AVAILALABLE
1997	Spring	--	1600	0.3%	
1996	Fall	--	1100	0.1%	
1996	Spring	--	--	--	NO DATA AVAILABLE
1995	Fall	--	--	0.6%	
1995	Spring	--	--	--	NO DATA AVAILABLE
1994	Fall	--	--	0.6%	
1994	Spring	--	--	0.3%	Detroit stations' share: AM 63%, FM 57%
1993	Fall	--	--	0.5%	
1993	Spring	--	--	0.7%	
1992	Fall	--	--	0.6%	
1992	Spring	--	--	0.2%	
1991	Fall	--	--	0.4%	
1991	Spring	--	--	0.3%	
1990	Fall	--	--	--	Negligible, NO DATA
1990	Spring	--	--	0.3%	
1989	Fall	--	--	0.3%	
1989	Spring	1800	--	0.3%	
1988	Fall	1600	1900	0.1%	Windsor stations 30%, Detroit 70% listener hours
1988	Spring	3400	3700	--	
1987	Fall	2100	3200	--	

Year	Survey	Listeners CMA*	Listeners Coverage area	Market Share in Windsor	Notes
1987	Spring	2500	5800	--	
1986	Fall	900	2000	--	Average weekly hours: 12
1986	Spring	1500	2400	--	
1985	Fall	1600	1900	--	

Appendix 3
French and French immersion school registration in the Windsor area 2002 to 2010

Name of School	Level of School	Type of School	2010	2009	2008	2007	2006	2005	2004	2003	2002
École Ste-Marguerite d'Youville	Elementary	French	NA	396	NA	353	354	NA	347	342	339
Monseigneur-Augustin-Caron	Elementary	French	567	545	536	561	562	NA	546	542	546
École Pavillion des Jeunes	Elementary	French	NA	378	376	374	368	NA	364	NA	370
École Saint-Jean-Baptiste	Elementary	French	358	NA	356	341	332	NA	325	317	315
École Saint-Ambroise	Elementary	French	119	118	126	130	144	NA	162	151	163
École Ste-Ursule	Elementary	French	207	208	212	203	205	NA	185	NA	202
École Saint-Antoine	Elementary	French	306	277	NA	263	247	NA	247	253	258
École Saint-Michel	Elementary	French	NA	505	465	435	425	NA	372	367	361
École Saint-Paul	Elementary	French	NA	146	142	151	156	NA	149	158	167
École Ste-Thérèse	Elementary	French	NA	456	416	351	354	337	NA	313	320
École Saint-Edmond	Elementary	French	213	203	193	188	225	224	254	257	NA
École Georges P. Vanier	Elementary	French	NA	311	309	NA	NA	NA	NA	NA	NA
Monseigneur-Jean-Noël	Elementary	French	406	377	359	357	318	289	546	542	547
École Bellewood School	Elementary	Immersion	NA	NA	NA	NA	NA	NA	NA	NA	NA
Kingsville Public School	Elementary	Immersion	NA	NA	NA	NA	NA	NA	NA	NA	NA
École P.P. McCallum Public School	Elementary	Immersion	NA	NA	NA	NA	NA	NA	NA	NA	NA
Lakeshore Discovery School	Elementary	Immersion	NA	NA	NA	NA	NA	NA	NA	NA	NA
Sandwich West Public School	Elementary	Immersion	NA	NA	NA	NA	NA	NA	NA	NA	NA
École secondaire l'Essor	High School	French	NA	NA	NA	451	NA	NA	NA	NA	NA
École secondaire Lajeunesse	High School	French	NA	NA	NA	364	358	NA	NA	NA	NA
CONSEIL SCOLAIRE DE DISTRICT DES ÉCOLES CATHOLIQUES DU SUD-OUEST	District	French	8490	8219	8120	7646	7479	7315	7213	7122	NA

Appendix 4
RECOMMENDATIONS²³² FROM THE 2009 REPORT BY
The Office of the Commissioner of Official Languages:

SHADOWS OVER THE CANADIAN TELEVISION LANDSCAPE
The Place of French on the Air and Production in a Minority Context

Recommendation 1

The Commissioner of Official Languages recommends that the Department of Canadian Heritage, working with professional associations and federal departments and agencies that are responsible for television production, strengthen their coordinated strategy in order to better support the production and broadcasting of television products from official language minority communities and overcome the barriers that have been identified.

Recommendation 2

The Commissioner of Official Languages recommends to the Canadian Radio-television and Telecommunications Commission that it:

a) develop a specific policy which will:

- clarify the concept of regional reflection;
- distinguish between the production of regional programs in the majority official language and the production of regional programs in the minority official language;

b) encourage all Canadian broadcasting services to make commitments regarding the development and acquisition of French-language programs produced outside Quebec and English-language programs produced in Quebec, including a certain percentage produced outside of Montréal.

Recommendation 3

The Commissioner of Official Languages recommends that the Canadian Radio-television and Telecommunications Commission formulate a policy in order to define the minimum commitments to be made by major media conglomerates (those authorized to operate in several provinces with a potential reach of more than 70% of the audience in their language of operation) in order to reflect the reality of official language minority communities and meet their needs. These commitments should be included in licence conditions.

Recommendation 4

The Commissioner of Official Languages recommends that, at the time of licence renewal, the Canadian Radio-television and Telecommunications Commission monitor licensees more rigorously when they have commitments or licence conditions with respect to developing and acquiring programs produced in the minority official language.

Recommendation 5

The Commissioner of Official Languages recommends that CBC/Radio-Canada provide a more detailed report to the Canadian Radiotelevision and Telecommunications Commission on its expenditures for official language programming in a minority context. The report should include a breakdown of expenditures for official language programs in a minority context, the number of hours of programming and information on whether these programs are broadcast during peak

232 Office of the Commissioner of Official Languages. (2009). *Shadows over the Canadian Television Landscape: The Place of French on the Air and Production in a Minority Context*. Online at http://www.ocolclo.gc.ca/docs/e/televisionlandscape_paysagetelevisuel_e.pdf, accessed December 2010, pg. 53

hours and whether they are broadcast over the national network. This information could be repeated in its report to Canadian Heritage on the implementation of section 41 of the Official Languages Act.

Recommendation 6

The Commissioner of Official Languages recommends that the Department of Canadian Heritage ensure there are members who understand the unique issues of production in a minority context on the Canadian Television Fund's board of directors.

Recommendation 7

The Commissioner of Official Languages recommends that the Canadian Radio-television and Telecommunications Commission establish incentives for the production of Canadian live-action and animation programs in French for children and youth.

Recommendation 8

The Commissioner of Official Languages recommends that the Department of Canadian Heritage review its policy of international co-production with a view to promoting original French-language production, particularly in animation.

Recommendation 9

The Commissioner of Official Languages recommends that the Canadian Radio-television and Telecommunications Commission

- a) establish incentives to encourage the broadcasting of Canadian animation and live-action programs in French for children and youth;
- b) clearly indicate, in the licence conditions, the language of production of original Canadian programs.

Recommendation 10

The Commissioner of Official Languages recommends that Radio-Canada increase its efforts to broadcast original French-language Canadian series for children and youth.

Recommendation 11

The Commissioner of Official Languages recommends that the Department of Canadian Heritage take steps to ensure that new television productions that have benefited from the Canadian Film or Video Production Tax Credit and the support of the Canadian Television Fund be dubbed in Canada when they will be broadcast on Canadian television in either of the official languages.

Appendix 5

CBC/RADIO-CANADA STATEMENT²³³

Concerns

Radio-Canada's budget cuts have caused anxiety amongst CBEF listeners in Southwestern Ontario. Their concerns demonstrate the unique, essential role that the broadcaster has played for so long in French-language minority communities. For the sake of transparency, and out of loyalty to our audiences in the region, we would like to provide everyone with a clear picture of the situation.

Background

Like other broadcasters and businesses worldwide, CBC/Radio-Canada is facing very tough economic times. Furthermore, the Corporation has had no increase to its base funding, in real terms, in 35 years. The current poor economic climate has translated into a significant reduction in advertising spending, which has resulted in a revenue shortfall of \$60 to \$65 million for the year ending March 31, 2009. With scaled-back spending at the Corporation since August 2008, we broke even for the 2008-2009 fiscal year. Unfortunately, there is no recovery in sight for 2009-2010, and the Corporation must make up a projected shortfall of \$171 million. That figure is contingent upon our selling \$125 million in assets; without those sales, the shortfall will be even more drastic.

At Radio-Canada

CBC/Radio-Canada's French Services alone has a \$51 million shortfall in 2009-2010, including a \$17 million reduction from the Télévision de Radio-Canada schedule and a \$34 million reduction from all of the other French-language services. Regional services account for 18 per cent of the Radio-Canada budget. We limited the impact on our regional broadcasting by having Radio-Canada's national network absorb 86.3 per cent of the cuts.

Because all our programming and management strategies are integrated, it was impossible to completely spare our regional centres. The decisions we made were not arbitrary. They were based on careful thought and a thorough examination of our resources.

We want to continue to be firmly rooted in the various provinces we serve, using whatever platforms are most effective – television, radio or the Web. In a country as vast as ours, we are keenly aware that our presence helps mitigate the feeling of isolation that small, French-language minority communities in Canada might experience.

In Windsor

Residents of Southwestern Ontario will not lose Radio de Radio-Canada service. They will be able to continue enjoying it as before, since the bulk of the schedule will remain the same. I am confident that listeners will see themselves reflected in Radio de Radio-Canada programming, because Windsor will continue to provide input for the morning, afternoon and weekend radio productions, as well as for the Toronto-produced newscasts. The region's arts, political, business, and human-interest stories will continue to receive their fair share of air time.

Our decision to turn Windsor into a production centre was necessary and we are convinced that

233 CBC, Official Languages: Concerns (Response statement), 2009, <http://www.cbc.radio-canada.ca/docs/languages/concerns2.shtml>, accessed December 2010.

area residents will see themselves reflected in the regional programs broadcast in Ontario. As a result, the weekday morning show that airs from 6:00 a.m. to 9:00 a.m. in Southern Ontario now breaks away every hour during this peak listening time slot to give Windsor a local window for customary services such as weather, traffic, headlines in the press of the Southwestern region, and at least one interview on current affairs. The mandate for the remainder of the Toronto-produced program is to meet the needs of all listeners, whether they live in the Greater Toronto Area or in Windsor, through tailored weather reports, relevant sports news, etc. Like all other francophones in the province, Radio-Canada audiences in Southwestern Ontario have access to our provincial Saturday morning show, which features a segment with our Windsor contributor. In addition, Southwestern Ontario news and current affairs are now incorporated into the Toronto regional newscasts, thanks largely to the essential contribution of our Radio-Canada correspondents in Windsor. [Radio-Canada's Ontario website](#) will become the foremost source for all regional news. We plan to channel more resources into this emerging platform for news and current affairs that affect all aspects of provincial life. And in keeping with our desire to maintain our regional roots, no partnerships with the community will be terminated in Southwestern Ontario.

Our collective future

Per capita funding for CBC/Radio-Canada falls 15th out of the funding measured for public broadcasters in 18 major Western countries (Nordicity Group Ltd., January 2009). In contrast, BBC receives \$124 per person, and France \$65 (soon to be \$77) for operating in one language and one time zone each; while CBC/Radio-Canada has an allocation of only \$34 per citizen for services in two official languages across six time zones.

We would like to thank Windsor residents for voicing their support for Radio de Radio-Canada and asking that potential staff cuts there, announced in the context of overall cuts for the whole Corporation, be reconsidered. It is important for us to hear from our audiences and we particularly appreciate their iteration of the many benefits that Radio de Radio-Canada in Windsor provides to their community. We want to assure them that we will continue to reflect and promote the vitality and cultural richness of Southwestern Ontario's French-speaking community in our programming.

Louis Lalande

Executive Director, Regional Services, Radio-Canada

August 2009

Appendix 6
Fréquences de la Première Chaîne de Radio-Canada

ALBERTA

Bonnyville	98,7 FM
Calgary	103,9 FM
Edmonton	680 AM
Falher	103,7 FM
Fort McMurray	101,5 FM
Grande Prairie	90,5 FM
Hinton	100,7 FM
Lethbridge	104,3 FM
Medicine Hat	100,5 FM
Peace River	92,5 FM
Red Deer	103,5 FM

COLOMBIE-BRITANIQUE

Chilliwack	102,1 FM
Dawson Creek	93,7 FM
Kamloops	96,5 FM
Kelowna	90,5 FM
Kitimat	105,1 FM
Port Alberni	94,9 FM
Prince George	95,5 FM
Terrace	96,9 FM
Vancouver	97,7 FM

ÎLE-DU-PRINCE-ÉDOUARD

Charlottetown	88,1 FM
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MANITOBA

Winnipeg	90,5 FM
Brandon	99,5 FM
Sainte-Rose-du-Lac	92,9 FM
Thompson et Flin Flon	99,9 FM
The Pas	93,7 FM
Kenora	93,5 FM
Dryden	102,7 FM
Sud du Manitoba	1050 AM
Saint-Lazare	860 AM

NOUVEAU-BRUNSWICK

Allardville	105,7 FM
Campbellton	91,5 FM
Edmundston	100,3 FM
Kedgwick	990 AM
Lamèque	90,3 FM
Moncton	88,5 FM
Neguac	105,7 FM
Restigouche	91,5 FM
St-John/Frédéricton	102,3 FM
Saint-Quentin	1230 AM

NOUVELLE-ÉCOSSE

Chéticamp	103,9 FM
Digby	104,7 FM
Halifax	92,3 FM
Margaree	92,3 FM
Middleton	107,5 FM
Mulgrave	107,5 FM
New Glasgow	88,7 FM
Sydney	95,9 FM
Weymouth	100,9 FM
Yarmouth	107,3 FM

ONTARIO

Belleville	94,3 FM
Blind River	101,7 FM
Bonfield	95,1 FM
Brockville	102,1 FM
Chapleau	91,9 FM
Cochrane/Iroquois Falls	97,1 FM
Corbeil Astorville	95,1 FM
Cornwall	98,1 FM
Dubreuilville	97,9 FM
Elliot Lake	101,7 FM
Espanola	94,9 FM
Fauquier/Opasatika	90,7 FM
Geraldton/Longlac	93,7 FM
Gogama	104,9 FM
Hearst	90,3 FM
Kapuskasing	90,7 FM
Kingston	99,5 FM
Kirkland Lake	93,7 FM

Lavigne/Field	95,1 FM
Leamington	103,1 FM
London	99,3 FM
Manitouwadge	96,9 FM
Marathon	102,3 FM
Matachewan	1110 AM
Mattawa	1090 AM
Nipigon/Dorion	97,3 FM
Noëlville/St-Charles	98,1 FM
North Bay/Nipissing	95,1 FM
Ottawa/Hull	90,7 FM
Penetanguishene	96,5 FM
Peterborough	106,3 FM
Rolphton	1400 AM
Sault-Sainte-Marie	88,1 FM
Smooth Rock Falls	90,7 FM
Sturgeon Falls/Cache Bay	95,1 FM
Sudbury	98,1 FM
Thunder Bay	89,3 FM
Timmins	97,1 FM
Toronto	860 AM
Tri-Town	99,7 FM
Val Gagné/Matheson	97,1 FM
Verner	95,1 FM
Warren/Hagar	98,1 FM
Wawa	90,7 FM
Windsor	540 AM

Appendix 3:

*Roundtable on Cultural Diversity in the Toronto Screen Media Production
Industry: Report and Action Plan*

Roundtable on Cultural Diversity in the Toronto Screen Media Production Industry

Report and Action Plan

June, 2012

Charles H. Davis, Ph.D.

E.S. Rogers Sr. Research Chair in Media Management and Entrepreneurship
RTA School of Media
Faculty of Communication and Design
Ryerson University
c5davis@ryerson.ca

Jeremy Shtern, Ph.D.

Assistant Professor
Department of Communication
University of Ottawa

Paul de Silva

PhD Candidate,
Joint Ryerson-York Communication and Culture Program

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Executive summary

On December 9, 2011, national and international media leaders, scholars, practitioners and stakeholders met in Toronto to address the challenges and opportunities facing visible minority screen media producers in the Canadian media industry. The roundtable was convened to address the persistent economic marginalization of visible minority screen media producers in the English-language Canadian screen media industry.

Considerable gaps exist between stated policies with regards to Canadian multiculturalism and the reality of inclusion and cultural diversity representation in the production of film and mainstream television programming. Consequently, the screen entertainment available to Canadians does not represent Canada's cultural diversity. The range of economic opportunities available to visible minority producers is much narrower than the range of opportunities available to others.

The extremely low level of inclusion of visible minority producers in the film and television production industry is due to systematic barriers which are described in the report. Employment equity legislation does not provide a direct remedy to economic marginalization of visible minorities in the screen production industry because most of the economic relationships are based on contracting, not on salaried employment. Third language or "ethnic channels" which are aimed at specific ethno-cultural groups, produce very little original programming, particularly in the area of drama, including comedy and variety shows.

The objective of cultural diversity on and off screen in the broadcasting industry is not being vigorously pursued. Despite many "diversity initiatives" by broadcasters and governmental agencies, progress has been unacceptably slow. While several conferences and symposia have addressed this issue in the past 30 years, it is generally felt that little consistent or meaningful progress has been achieved in the inclusion of visible minorities in front of and behind the camera, especially among senior decision makers in the industry, and among independent producers.

The Roundtable's action plan reminds Canadians of the centrality of the diversity principle within the broader rationale and purpose of media policy:

- The diversity principle is central within the broader rationale and purpose of media policy.
 - *The social role of broadcasting policy should be shifted away from supporting cultural nationalism and a uniform Canadian identity and toward promoting understanding and dialogue in an increasingly multi-cultural, multi-racial society.*
- Canadian media policy must embracing specific diversity goals.

- *A key goal of media policy must be to enable the production and dissemination of programs featuring genuine cultural diversity themes and stories in popular genres such as scripted primetime drama.*
- *Diversity reporting must be taken seriously and employers must be held accountable for hiring decisions and on-screen representations.*
- *In addition to employment equity, a policy goal must be to develop equitable economic opportunities among freelance and independent producers.*
- Diversity of voices must be strengthened within the policy arena.
 - *There needs to be a clear push to create a conversation about cultural diversity in the Canadian media that is separate from the conversation about media ownership diversity.*
 - *Actions must be taken to revitalize conversations with the national labour unions and guilds in the media sector to put diversity back on the agenda and coordinate actions together.*
 - *Visible minority media producers need a permanent, professional umbrella organization that can provide a voice, services, and strong, ongoing evidence-based policy advocacy. They should seek benefit monies for this purpose.*
 - *Canadian third language television services should be required, by condition of license, to commission and broadcast original Canadian content.*
- *Given the upcoming appointments of two new CRTC commissioners, a campaign should be formed to ensure racial diversity among CRTC commission appointments in 2012.*
- *Public broadcasters have special responsibilities and challenges regarding diversity. We call on the CBC to exercise leadership on the diversity issue. Our message is that we value the CBC, and we want it to be one that all Canadians recognize. While the CBC has a stated Diversity policy, there need to be specific targets and transparent implementation practices put in place.*
- *We recommend the establishment of a new category 1 diversity channel to create new opportunities for visible minority media producers.*
- *We recommend that the use of film & television tax production incentives and quotas to improve economic opportunities for minority-owned production companies be considered.*
- We believe that that Canadian screen media producers must look beyond the regulated domestic media sector.
 - *We recommend that an economic roundtable be convened to explore ways to expand the expertise and networks of the culturally diverse media production community to improve their access to opportunities around the world.*

Introduction

On December 9, 2011, national and international media leaders, scholars, practitioners and stakeholders met in Toronto to address the challenges and opportunities facing visible minority screen media producers in the Canadian media industry. The roundtable was a follow-up to the CERIS-supported research project "Access to Economic Opportunities in Canadian Screen-based Media by Persons from Racialized Communities and New Immigrant Groups: the case of media producers in the GTA region" by Ryerson University's Charles Davis, Jeremy Shtern, and Paul de Silva. A keynote presentation was delivered by the British producer, media executive and cultural diversity activist Parminder Vir. The roundtable was convened to address the persistent economic marginalization of visible minority screen media producers in the English-language Canadian screen media industry.

The issue of media diversity is a critical one as Canada's demographics are undergoing radical transformation. It is estimated that visible minorities will make up 32% of Canadian society by 2031, and well over 60% of the population of the Toronto region. Research shows, however, that despite the social, economic and cultural benefits of a diverse media, racialized persons are persistently absent in Canadian media both on and off screen

(see appended bibliography). Most attention has focused on the relatively infrequent on-screen roles for racial minorities in Canadian screen media; where these roles do occur, they tend to be secondary roles, often reinforcing stereotypical images (Media Action, 2011).

In contrast, this Roundtable addressed the issue of the disproportionately low participation of visible minorities in behind-the-camera labour in the independent media production sector. Research currently undertaken by Ryerson University researchers is investigating pathways to economic viability for racialized screen-based media producers in the Canadian English-language screen media industry. The core questions posed by the research and the Roundtable are: what are the creative and economic barriers to entry and employment faced by minority screen producers, and what can be done to open up opportunities for visible minorities in Canada's English-language screen production industry? Our ultimate goal is to hasten the achievement of equitable representation of visible minorities in the Canadian independent media production sector.

Racial and cultural diversity in the media is important for political, civic, and economic reasons. Canadian media represents a growing and powerful economic and cultural sector of the economy, but the lack of diversity in this sector undermines its integrity. On-screen representation plays a part in

shaping the aspirations of youth and newcomers, and contributes to social cohesion. Yet even in our publicly-supported and publicly-mandated broadcast industry, minority media professionals face a host of unique structural and cultural obstacles that affect the economic viability of their endeavors, and ultimately the stories and images that are seen on Canadian screens.

A key issue that arose quickly at the Roundtable was the recognition that previous advocacy work on diversity has done little to improve the economic opportunities for minority groups in the media production industry. Many participants reported feeling frustrated at the lack of progress. The absence of progress and resulting frustration among racialized persons in the Canadian screen media industry has led to the dispersal and fragmentation of efforts that weakens advocacy voices. However, the participants demonstrated passion and resolve in working together to re-ignite the dialogue. They identified several common areas of opportunities for further action in areas such as media policy, advocacy, and international business development. We believe gatherings like this one are critical to mobilizing action on the issues of media diversity and building momentum toward creating lasting change.

While the question of diversity in Canadian media is undoubtedly complex, reforms are needed in order to achieve social justice in the workplace,

justify the spending of public dollars on production and broadcast licensing, create a globally competitive industry, accurately reflect the cultural diversity of contemporary Canada, and fulfill the legislative mandates contained in the Broadcast Act, the Multiculturalism Act, the Employment Equity Act, and the Charter of Rights and Freedoms.

Roundtable Structure & Overview

The Roundtable was designed as a high-level, solutions-oriented workshop that would be part of an ongoing dialogue on diversity in media. Participants and stakeholders from the film and television industry were invited to come together for an intensive and intimate day of high-level speakers, dialogue and small group deliberations. Participants represented a cross-section of film and television industry stakeholders, including producers, government regulators, training institutions, broadcasters, scholars, researchers, and non-governmental advocacy organizations working in media diversity. Approximately sixty participants attended the full day session. It was hoped that the roundtable would provide an environment in which we could begin the new conversations that can move us forward.

The first half of the day centred around a keynote dialogue and expert presentations on the latest research on diversity in Canadian media. The afternoon was dedicated to the development of an action plan and a slate of recommendations. In small, facilitated break-out sessions, participants shared their personal and professional experiences and contributed ideas and recommendations for future actions. They were asked specifically to identify 1) what challenges they faced as racialized producers or in their businesses, and 2) what are the opportunities for increasing economic opportunities and access to media for visible minority producers?

The Roundtable was convened under the "Chatham House Rule" which states, in part, that "participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed." Accordingly, throughout this report we do not attribute comments or ideas to any individual, unless expressly so authorized.

Keynote Talk: Parminder Vir

We were delighted to have Britain's Parminder Vir, O.B.E., as a special guest and keynote speaker at the Roundtable. Parminder was awarded the Order of the British Empire for her contributions in developing important

initiatives in the area of diversity broadcasting. As a filmmaker of award winning documentary and drama productions, executive producer, and broadcast executive, she broke new ground in British broadcasting and has been a tireless advocate for diversity and inclusion in British society for over thirty years.

She was a founder of the Cultural Diversity Network (CDN) which has played a vital role in increasing opportunities for racialized minorities in screen based media in the U.K. She currently sits on several boards connected with the film and television industry in Britain and is developing new business opportunities for film producers from emerging markets through her company PVL Media, which facilitates companies and institutions in Media, Creative Industries and Education Sectors in doing business with the Emerging Markets (Africa, Asia, Latin America and Middle East), and in assisting them in developing their international business initiatives.

Parminder's perspectives and experiences in the British film and television industry, her passion for telling stories on screen and for social justice issues involving the inclusion of racialized minorities in this arena, as well as her recent business development ventures in the global marketplace, provided an extremely stimulating beginning to the day's discussions. Her comments and reflections during the workshops and

Plenary session and in subsequent discussions with the Roundtable organizers, provided us with invaluable insights and recommendations for a path forward in addressing the issue of equitable representation of racialized minorities in front of behind the camera in Canada.

System Failure: a Homogenous Industry

Culturally diverse Canadians are very much under-represented in the media industry, especially in the leadership and gatekeeper positions. The study *DiverseCity Counts 3: a Snapshot of Diversity in the Greater Toronto Area* by Ryerson's Diversity Institute reviewed visible minority representation among media decision makers in the GTA and found that only 4.8% of senior executive positions were held by visible minorities. Seventy percent of the media companies located in the GTA have *no* visible minorities among their top executives. Five out of seven management boards had no visible minority representation. Over eighty percent of the executive groups studied had *no* visible minorities. Representation in senior leadership (3.6%) and on media boards (6%) is extremely low.

This low degree of inclusion of visible minorities in the Canadian media industry also persists in other key

occupations; for example, only about 4% of screenwriters are visible minorities (Davis et al., 2012). We also note the poor representation of visible minorities on the key media regulatory agency, the Canadian Radio-television Telecommunications Commission (CRTC), which conspicuously lacks adequate representation from visible minorities. Overall, the Canadian media industries are still dominated by white men.

A significant obstacle to addressing questions of diversity lies in the fact that many persons in the industry believe that success in screen media production careers is determined solely by individual effort and merit, not by systemic factors, suggesting that while Hollywood and other places may be affected by prejudice and discrimination, Canadian society and the Canadian screen industry is not. Yet many also acknowledge that discrimination is rampant in screen industries due to the pigeonholing and stereotyping of creative talent, and the paucity of opportunities to represent diversity on Canadian film and television screens. In a recent study of Canadian English-language screenwriters (Davis et al., 2012), screenwriters were asked to consider the issue of race and racial discrimination in their careers as writers. Many respondents expressed a belief that writers are selected according to their sociodemographic characteristics, and that this constitutes discrimination. Overall, 38% of the respondents believed they had been discriminated

against because of gender, age, sexuality, race/ethnicity, disability, or some combination of attributes.

The lived experiences of diverse producers and several empirical studies show us that the barriers faced by racial and cultural minorities are very real. The independent media workforce is primarily based on networks among freelancers and small firms, and decreasingly on salaried employment. Therefore employment equity remedies do not directly affect this sector. The marketplace for opportunities is as much social as it is economic. Everyone in the independent production sector and in the specialized creative occupations (directors, screenwriters, etc.) knows that networking and 'who you know' are critical to obtaining work opportunities, but they also have to maintain the narrative that reputation is entirely based on talent. Producers and specialized creative workers in this sector face enormous pressures to see their careers in purely meritocratic terms and to not 'make excuses' when things do not go as hoped. Visible minority producers face the double bind of having to confront systemic barriers and then, potentially being ostracized if they call attention to them. The resulting lack of a dialogue about these issues contributes to sense that that racial barriers simply don't exist in Canadian media industries.

From the regulatory perspective, the CRTC responds to advocacy from Canada's media stakeholders. Absent

such pressure, the CRTC rarely intervenes. The current regulatory framework regarding cultural diversity centres on ill-defined requirements for employment and on-screen diversity reporting among broadcasters, with practically no accountability and few remedial measures aimed at compliance. The CRTC is not seen to behave proactively in the diversity issue area, this increases tensions.

While racialized and culturally diverse media professionals have created several fora and professional organizations, they do not enjoy the same political visibility as other marginalized groups in the diversity issue area, notably women. In other words, culturally diverse media producers do not constitute an organized stakeholder group in the Canadian media system. Given that the English language screen-media production industry is a relatively small world, in which individuals thrive or fail based largely on their reputations and networks of contacts, the reticence of individual visible minority media professionals to organize, mobilize and rock the boat through lobbying and activism is understandable, especially for those who are enjoying success under current conditions.

The denial of structural and cultural barriers is a critical problem for diversity advocacy work. If the issue is difficult to talk about outside of the diversity community, then finding solutions becomes nearly impossible. While the

marginalization of visible minorities in the screen production industry is in and of itself deeply troubling given its implications for Canadian society, we should not underestimate the discouraging message it sends to the visible minority communities specifically. Even though visible minorities are increasingly entering the screen media production industry, just as many leave again when they see a lack of opportunity for themselves. This is partly because they do not see themselves reflected through role models in the industry.

The low level of diversity in Canadian screen media comes after decades of advocacy on the issue. The glacial pace of change has produced an environment of mistrust of mainstream media and specifically of media leadership and industry privilege. Roundtable participants were generally frustrated at the lack of diversity among gatekeepers and were often pessimistic that the desire to change was sincerely felt by the mainstream media. Many felt that diversity had been used by media leaders as a 'flavour of the week' issue, or used as a career stepping stone. Some studies have found that executives are often aware of diversity issues, but that this awareness doesn't result in meaningful action. Experts have addressed the bias for people to want to work with people like themselves. In large companies this translates into a kind of institutional cloning where white male leaders tend towards developing talent and

succession pipelines that are filled with talent much like themselves - white and male. In other words, the Canadian media industry has become a system that is better at mirroring itself than the communities and audiences it serves. As a result, Canadian media organizations are poorly placed to capture and develop the best talent and creative content to compete globally and nationally for audiences.

While there is a long way to go, there have been some changes for the better in recent years. Some participants have noticed a decrease in institutional racism over the past decades, and see better opportunities in general for racialized media producers. However, a glass ceiling definitely is perceived to exist at the most senior levels of the industry. At executive levels decisions are made about content, air time, and creative priorities. Some participants called for more research into the racialized division of labour in the media industry to see whether culturally diverse workers are being funnelled into specific roles, and away from content determining positions. Within the independent film and television production sector, minority-owned content producers face a daunting challenge in achieving economic viability due to the problems of pigeonholing, few opportunities to produce Canadian drama, and even fewer opportunities to produce Canadian drama with the urban or youth orientation that would be most conducive to including racialized minorities on and behind the screen as

part of normal operations. While third-language ethnic channels serve a useful purpose, their production of original content is minimal. These channels mainly import cultural content from elsewhere. They provide few opportunities for ethnic media producers to earn income from original content production or develop capabilities that will permit competition in mainstream film or television.

Networks of Exclusion

One of the major areas of consensus among the breakout groups was that the media production system as it exists now is not working as intended for diverse artists and content producers. They were frustrated at hearing the common excuse that visible minority media production talent is hard to find. They invariably mentioned feeling bogged down by the processes of the system, unable to access its gatekeepers, finding it nearly impossible to build a sustainable career. As mentioned earlier, economic opportunities in the media production industry are embedded in social networks. Networks assist some people in accessing media gatekeepers and help them get their stories told, while excluding others. Over time, economic advantage accumulates for those who enjoy more access than others. Understanding how these racialized networks operate in Canadian media to

influence how the industry selects which stories end up on screen is critical to illuminating a key barrier for cultural minorities.

Networks operate in complex ways within and between visible minority communities as well. Culturally diverse filmmakers are themselves diverse, and they belong to multiple networks within networks, particularly where diverse communities have set up their own media outlets outside of the mainstream. Aboriginal communities in remote locations find it more difficult to network with mainstream media, but may have robust local networks of creators and producers. Representatives from mainstream media commented that they felt excluded from racially diverse networks and found it challenging to locate diverse talent. Finding ways to connect these two networks may be a point for future dialogue.

The media production system is set up to reward opportunities based on past work and proven success, and is reluctant to take risks on new talent. A vicious cycle is born, in which few opportunities exist for visible minority producers and creative workers, which in turn makes it harder for them to break in and find economic opportunities. A visible minority actor for example may find it more difficult to obtain the needed union accreditation because there are fewer roles and less screen time available. Visible minority writers, directors or producers may find it hard to

get their content green-lit because they are steered into making 'diverse' content rather than mainstream stories. Many participants called for gatekeepers and funding bodies to examine their current systems and find ways to increase the opportunities for diverse producers and creative workers.

The Economics of Diversity

The Business Case

In Canada we are accustomed to hearing moral and social justice rationales for the importance of a diverse media. While those arguments are still as valid as ever, it is becoming increasingly common to hear about the business case for diversity. There are now several case studies of global media institutions that have been able to increase audience share, employee loyalty and advertising revenue by taking diversity seriously and incorporating broad based company-wide strategies. Participants heard specifically about Carlton television in the UK, which was missing out on ethnic audiences. Because its programming was not relevant, cultural communities turned to channels based in 'home countries' broadcast via satellite networks. Carlton was able to improve audience share by recruiting and reaching out to ethnic producers and creating relevant programming. Closer

to home, a report by the Ryerson Diversity Institute highlights the case of CBC Radio's "Metro Morning" show that was able to reach the top of the broadcast ratings for the first time by incorporating more diverse stories and presenters. Research is now providing us with a growing body of evidence that diversity in the workplace is very good for the bottom line.

Diversity is one of the drivers of creative and product innovation in the creative industries. The business case for diversity in Canadian media contends that that diversity in the production sector and in all levels of occupations results in more diverse content that will resonate more strongly with Canadian audiences and contribute to the growth of domestic market share for programming. Culturally diverse content is also a way for Canadian producers to open the doors to international markets, and increase the global competitiveness of the industry. This

could not be truer in a sector where consumers have more choices than ever regarding platforms and content. The more choices audiences have, the more a media product must be relevant to get their attention.

"Build businesses, not lifestyles."

Inspired by an economic approach to diversity, there were calls among participants for the dialogue to focus explicitly on how to develop economic opportunities for racialized minorities in the media industry. This was one of the major themes of Parminder Vir's keynote talk. Ms. Vir strongly encouraged her Canadian colleagues to prioritize economic goals of sustainability, profitability and demand creation over more intrinsic artistic and creative objectives. "Build businesses, not lifestyles", she put it succinctly.

Proposals were made for a future roundtable on economic opportunities for visible minorities in the Canadian screen industry, and for organized skills development initiatives aimed at helping diverse producers take advantage of global markets. A significant area of economic opportunity for culturally diverse screen content producers was seen to be emerging markets outside of Canada. The global media market is no longer entirely dominated by North America and Europe. Enormous economic and creative opportunities exist in emerging film markets in China, India and Africa for example. Nollywood

in Nigeria is the world's third largest film production industry. Many African media sectors are experiencing double digit growth. A strong case was made in the discussions around Ms. Vir's proposal that the focus today should be on empowering visible minority individuals and entrepreneurs to expand internationally by helping them to develop the business and creative skillsets required for success in emerging markets.

Ms. Vir suggested that visible minority producers should look to circumvent the glass ceiling in the media industry by pitching projects and business opportunities to visible minority business leaders and entrepreneurs in other sectors. Information technology, banking and engineering for example have all emerged as far more open to minorities in gatekeeping roles. Experience from the UK, India and elsewhere was cited to make the point that such wealthy, well-connected minority individuals can function as both investors in and powerful champions for minority-led media ventures.

Obstacles: Content and Leadership

While the business case for diversity in the screen media is gaining ground, critical obstacles still remain. Many participants felt that the mainstream media are not doing an adequate job of reflecting Canada as a contemporary

and diverse society. They questioned the relevance of mainstream media and 'Canadian content' to culturally and racially diverse communities. The long history of lack of progress may mean that mainstream media outlets need to work harder to engage and 'win back' visible minority content producers, who wonder if their professional and creative efforts are better spent elsewhere.

Part of the solution for mainstream media to engage culturally diverse audiences, producers, and creators is to encourage the production of content that moves beyond stereotypes of various Canadian cultural communities. Diversity in media shapes public perceptions of the norms of citizenship, leadership, authority, and social belonging, so accurate media representation is a key to achieving the anticipated business and cultural benefits. Representations of culturally diverse Canadians are often shallow, take up less screen time, and fall into easy stereotypes (Fleras, 2011). Content and casting have to move beyond easy and simplistic representations (black criminal, Asian shopkeeper) and a focus on 'counting heads' to creating content that is relevant and compelling. To do this, businesses need to accurately understand cultural diversity. Participants at the roundtable expressed frustration with cultural communities being seen as one homogenous 'brown' group, pointing instead to the rich diversity within and between different ethnic groups. For example, the

Canadian aboriginal community is comprised of hundreds of culturally distinct nations. The histories and experiences between black, Asian, Latino and other groups are also equally varied. Research shows that in the media workplace, barriers vary between ethnic groups based on the differences between stereotypes, cultures, and the group's social status in society. Participants recommended seeing diversity as an inclusive and diverse continuum, where the variations within and between ethnic groups are acknowledged, but that diversity also be understood as a way to connect and create opportunities among cultural groups, racial groups, as well as between genders, sexualities, language and ability communities.

"I'm told over and over again that I'm disadvantaged. They tell me that what I do only applies to brown people. I want to be shot out of the same cannon as all other artists."

Many in the group were also mindful of the potential for unintended consequences that can arise from self-identifying with a cultural group, or by encouraging the issue of diversity. While visible minority content producers hunger for a less homogenous, more inclusive approach to cultural diversity, they do not wish to be solely defined in terms of cultural affiliation or race. They see their diverse backgrounds as an asset - not an excuse - and simply want

the same chance to compete alongside all other producers and creative workers.

"I want to see more people like me at the table."

The labour force is the other side of the coin when it comes to creating relevant Canadian screen-content. While the number of visible minority workers in media is low overall, the representation worsens the higher the position. Participants broadly called for more economic opportunities for culturally diverse creators, and expressed the need to work towards greater diversity in senior leadership and gatekeeping positions. Studies have linked diversity on the creative team with increased diversity on screen. Diverse senior leaders provide critical role models that help build the talent pipeline and helps attract and retain the best talent. Suggestions included advocacy work, encouraging diversity audits at media companies, and several policy initiatives that will be discussed below.

Advocacy & Policy

Moving from dialogue to action

"we talk and we talk...and keep hitting our heads against the brick wall."

There was a shared concern among participants that diversity advocacy lacked a sustained and coordinated platform, and that dialogue on diversity seemed to only produce more dialogue rather than actions or results. The diversity advocacy community also appears to have fragmented into many smaller organizations and individuals whose efforts are collectively uncoordinated. This presents the community with one of its most significant challenges.

There are several reasons for the lack of sustained and coordinated efforts on increasing diversity. To begin with, the distinct lack of real progress creates enormous frustration and burnout among advocates who eventually give up and move on to other things. The instability of a media career is another factor that undermines political actions. Advocacy work is costly and labour-intensive, particularly when it comes to policy advocacy regarding regulators or preparing interventions to the CRTC. High costs, complex processes, and a lack of progress take advocates out of

the game. Several participants mentioned that they felt there was a political cost to publicly advocating for diversity and that current governments were unsympathetic to diversity issues. They feared that the current environment meant that speaking up could jeopardize their funding and put their jobs at risk.

Despite these risks, there was a strong desire among participants to create a long-term strategy that would build on the legacy of previous diversity efforts. There were many conversations and suggestions relating to the form a unified movement could take so that it could ally with agencies around the globe, and focus on significant actions and policy interventions. No existing organization appeared able to take on this mantle. One suggestion was to form a new group inspired by the UK's renowned Cultural Diversity Network (CDN). In 2000 the CDN was established to advocate in favour of racial diversity in media. It was formed at a moment when minority media producers in the UK were frustrated because they felt they lacked equal access to mainstream media outlets. The CDN was formed with the express support of all major media broadcasters who signed on to effect a series of practical goals. Today the CDN has become the Creative Diversity Network and is now an institution that promotes an expanded definition of diversity that

encompasses race, gender, sexuality and ability. Canada has never had such a network and there was some discussion about whether a similar initiative could work here. On this point there was not an immediate consensus. Some felt that the time for institutions was in the past, preferring instead to leave aside the domestic media market and focus on accessing markets outside of Canada. Others found value in forming an organization that could specifically address concerns in Canada and speak to the mainstream media and the Canadian audience.

Policy Challenges & Opportunities

There is a regulated and unregulated media sector in Canada – and since the roundtable focused primarily on the regulated sector, there was a healthy discussion about the role media policy and sector regulation plays in media diversity. In Canada the existence of the independent sector is due specifically to a policy measures that require certain broadcast distribution units to outsource production of Canadian media content, and also require broadcasters to reserve air time for Canadian media content. Thanks to these policy measures, Canada has a few hundred smaller to medium sized independent media production companies and many more micro-businesses. These companies are the core of the Canadian content industry, and they rely on the protected

market provided by government regulation.

The backbone of Canadian television regulation is the Broadcasting Act. In it there are specific provisions that mandate the media to reflect the multiracial make up of Canada. It is one of the basic contentions of the group that the mandate contained in the Canadian Broadcasting Act for our broadcasting system to reflect the multiracial nature of Canadian society is not being met. In previous years the CRTC created a policy to document diversity on screen and required broadcasters to file annual diversity reports that would outline their results on employment and on-screen representation. CRTC found very low representation of visible minorities in broadcaster employment and on screen, in particular with aboriginal peoples. Out of these efforts a task force was formed and a set of best practices was produced. However, since the closing of the CAB a few years ago, the annual industry-wide diversity audits are no longer prepared. While external monitoring of diversity practices can take place via the reports that broadcasters file with the CRTC, our examination of these reports shows the absence of clearly established definitions of what activities contribute meaningfully to diversity, and lack of clarity regarding the thresholds that must be met in order to ensure that various organizations have lived up to their diversity requirements. Not surprisingly in this environment,

monitoring and enforcement of diversity standards are largely ad hoc, and there is little evidence of effective contributions to solutions.

The year 2012 presents the media diversity community with several critical opportunities. It has been 5 years since the 2007 CRTC proceeding on “Diversity of Voices” and it seems likely that the CRTC will be holding a planned follow-up review of their cultural diversity policy soon. It is an ideal time to make submissions and advocate for actions from the CRTC. Experts on the CRTC recommended solution focused, evidence based advocacy and research be presented to the tribunal. They also noted that many of the current commissioners are new to the question of diversity, and will have to be educated. There were some suggestions that perhaps the CRTC could be proactive on this front and consult with the industry so that commissioners are informed going into the tribunal. The other significant opportunity is that there will be two appointments in 2012 for new commissioners. This is an opportunity to improve the representativeness of the CRTC by appointing visible members from visible minority communities.

An important area for policy investigation concerns equity of non-employment economic opportunities for visible minority media producers. As most of the jobs in the independent production sector are contract based, equity employment regulations do not

apply to them. Some participant suggested the idea of 'set-asides' or quotas that favour minority-owned media companies, or tying current tax incentives to diversity representation.

Recommendations & Action Plan

Roundtable participants drafted an agenda, containing recommendations and several specific actions.

On recalling the centrality of the diversity principle within the broader rationale and purpose of media policy:

- The Canadian mainstream media are not doing enough to leverage our unique and diverse pool of storytellers. Tapping into diverse stories and communities will speak more broadly to Canadians and increase the global competitiveness of the industry as a whole. The social role of broadcasting policy should be shifted away from supporting cultural nationalism and a uniform Canadian identity and toward promoting understanding and dialogue in an increasingly multi-cultural, multi-racial society. This would include explicit support for exploration of oft-neglected divisive themes (stories about structural racism and marginalization, barriers to assimilation, the complex nature of hybrid identities etc.) alongside themes of unity.

On the diversity goals of media policy:

A key goal of media diversity policy should be to enable the production and dissemination of programs featuring genuine cultural diversity themes and

stories in popular genres such as scripted primetime drama.

- The requirements on mainstream Canadian broadcasters regarding employment equity and on-screen representation must be clearly defined and enforced. Diversity reporting must be taken seriously and employers must be held accountable for hiring decisions and on-screen representations. Mechanisms to ensure compliance in programming as well as creative, staffing and economic decision-making must be made stronger, more explicit and be subject to real enforcement.
- In addition to employment equity, a policy goal must be to develop equitable representation among freelance and independent producers. A more diverse leadership and workforce in Canada's media industries, including in the largely freelance independent production sector, must be seen as a requirement in creating a media system that reflects contemporary Canada.

On the need to strengthen the diversity of voices within the policy arena:

- Actions must be taken to revitalize conversations with the national labour unions and guilds in the media sector to put diversity back on the agenda and coordinate actions together.
- The diversity advocacy community has become fragmented. Lessons can be learned from efforts being made in other sectors and in ethnic media, and alliances should be formed to strengthen media advocacy efforts regarding cultural diversity.
- Visible minority media producers need a permanent, professional umbrella organization that can provide a voice, services, and strong, ongoing evidence-based policy advocacy. We recommend that they seek benefits monies for this purpose.
- CRTC diversity hearings are to take place in 2012. We emphasize that ownership concentration is not the only diversity issue. We encourage all those who care about diversity on and off-screen in media to get make their voices heard. There needs to be a clear push to create a conversation about cultural diversity in the Canadian media that is separate from the conversation about media ownership diversity. This did not happen in 2007.

On the diversity responsibilities of third-language broadcasters:

- Canadian third language television services should be required, by condition of license, to commission and broadcast original Canadian content, thereby contributing to telling the stories of Canadians cultural communities and developing the capacity of those communities to tell their stories.

On cultural diversity in the CRTC:

- Given the upcoming appointments of two new CRTC commissioners, a campaign should be formed to ensure racial diversity among CRTC commission appointments in 2012.

On the special responsibilities and challenges of public broadcasters:

- CBC license renewal hearings are scheduled for 2012. We recommend that a campaign be formed calling on the CBC to exercise leadership on the diversity issue. Our message is that we value the CBC, and we want it to be one that all Canadians recognize. While the CBC has a stated Diversity policy, there need to be specific targets and transparent implementation practices put in place.

On specific policy measures to improve diversity in Canadian English-language screen media:

- Timing appears to be ideal for a group to apply for a CRTC license for a new category 1 diversity channel to create new opportunities for visible minority media producers. A CRTC license for a Category A channel with a specific mandate for broadcasting original prime time Canadian dramatic programming created by visible minority media producers should be given serious consideration by the CRTC and industry stakeholders.
- The use of film & television tax production incentives to improve economic opportunities for minority-owned production companies should be considered. For example, consider a system of quotas for sourcing media content from minority-owned production firms.

On looking beyond the regulated domestic media sector:

- Canadian screen media producers have become too dependent on the regulated sectors of the media industry. Culturally diverse producers are well positioned to take advantage and leverage opportunities in emerging markets outside of Canada. We recommend an economic roundtable be convened to

explore ways to expand the expertise and networks of the culturally diverse media production community to improve their access to opportunities around the world.

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Appendix 4:

Public-Community Partnerships to Improve Local Media in Canada

Public-Community Partnerships to Improve Local Media in Canada

by

**Karen Wirsig
Canadian Media Guild**

and

**Catherine Edwards
Canadian Association for Community Users and Stations
(CACTUS)**

September 2012

Local Media in Canada

Local media has been transformed almost beyond recognition over the last decade in much of Canada. New technologies and consumption patterns, private ownership consolidation, cuts to public media and a muffled community sector have conspired to favour centralized content creation and distribution over independent local voices in the mainstream media. As a result, many communities have diminishing access to original local news reporting and content.

This paper provides an overview of the policy and market failures undermining healthy local media in Canada and examines ways in which the community and public media sectors could collaborate to improve local media infrastructure in Canadian cities, towns and rural areas. It concludes by suggesting policy directions to support these efforts.

Canada's *Broadcasting Act* gives equal importance to the to the “public, private, and community elements” in its broadcasting system. For the purposes of definition (since it is not always clear in the *Broadcasting Act* itself), this paper assumes a property-based definition of the sectors: that is, the public broadcasting is owned, managed and funded by public bodies; private broadcasting is owned and managed by private for-profit entities; and community broadcasting is owned and managed by not-for-profit community-based entities.

The funding dedicated to national public and community broadcasting is marginal in Canada relative to other countries, even though Canada's *Broadcasting Act* theoretically gives equal importance to the “public, private, and community elements” in its broadcasting system. In constant dollars, government funding for the Canadian Broadcasting Corporation and Radio-Canada (Canada's national public broadcaster, operating English and

French language-services respectively) has dropped markedly since the late 1980s¹ and now represents about C\$34 per capita each year, or less than half of the average per capita funding for public broadcasting among OECD countries². In 2012, the CBC faces its first major federal budget cut (10% of its overall budget) since the 1990s. This data is presented in figure 1.

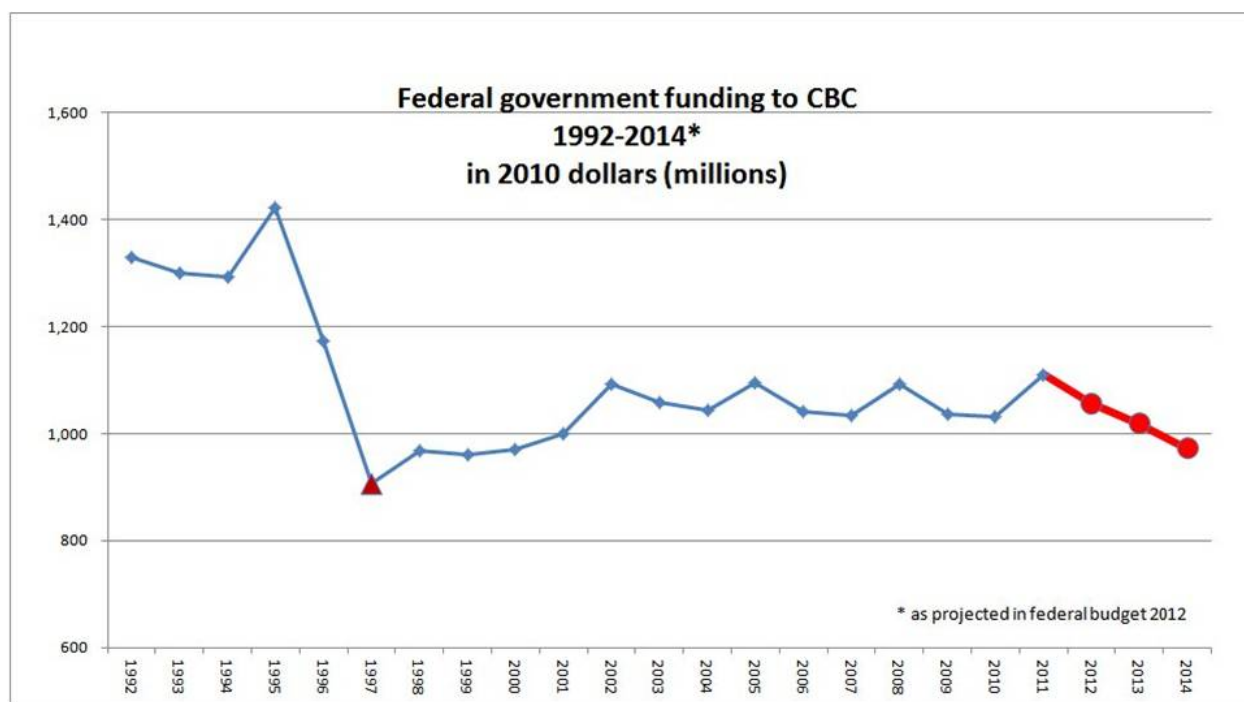


Figure 1 – *Federal Government Funding to CBC 1992-2014*

Spending on the community sector is more difficult to assess. While the Canadian Radio, Television, and Telecommunications Commission (the CRTC) requires cable operators to set aside between 2 and 5% of their revenues to support ‘community television’ (which amounts to more than \$130 million annually and is sufficient to the sector’s needs),

¹ Source: CBC finance data shared with the Canadian Media Guild.

² Nordicity, *Analysis of government support for public broadcasting and other culture in Canada*, 2011. See: http://cbc.radio-canada.ca/about/Analysis_Public_Broadcasting.pdf

this money is in fact directed toward private, for-profit, cable-administered pseudo-professional and regional TV services, not to genuine community broadcasting as it is understood internationally³.

Regulatory support for public and community broadcasting is also lacking. In the last five years, the vast majority of broadcast policy hearings at the CRTC have dealt primarily or exclusively with the private sector. A few have involved public broadcasters, notably the introduction of the crucial “Local Program Improvement Fund (LPIF)” for small-market TV stations⁴. However, the LPIF excludes community broadcasters, despite the recommendation in the 2003 Lincoln Report *Our Cultural Sovereignty*⁵ that an LPIF-like fund be created for “community, local and regional broadcasters.” A number of other policies announced for the private sector, including group licensing rules and permission for private broadcasters to seek “value-for-signal” payments from broadcast distributors, exclude both public and community broadcasters. In this context, CBC/Radio-Canada’s “2015” strategic plan – focused, in part, on improving local and regional programming – appears vulnerable to both government austerity measures and regulatory neglect.

Community broadcasting has been dealt with only once in the last decade as an exclusive focus of the CRTC. The CRTC reviewed its community radio and community TV policy in 2010. While some advances were made in community radio policy—notably the

³ Community Television Policies and Practices Worldwide by C. Edwards of TimeScape Productions, 2009. See http://cactus.independentmedia.ca/files/cactus/Community_TV_Policies_and_Practices_Around_the_World22.doc

⁴ In July 2012, the CRTC decided to phase out the LPIF by 2014.

⁵ Recommendation 9.8 on page 367.

establishment of the Community Radio Fund of Canada⁶—there were only token improvements to community TV policy. Despite a strong public call for the funding that is currently tied up in cable ‘community channels’ to be redirected to genuine community-run entities, the CRTC left this funding under cable administration. The core of the public’s dissatisfaction with cable ‘community channels’ concerned:

- the fact that a bare majority of the population can access them (only on cable television, to which roughly 60% of Canadians subscribe, down from 80% prior to the introduction of satellite TV in the late 1990s)
- that the content has been regionalized. There used to be just under 300 cable ‘community channels’, collocated with the head end the cable companies used to distribute their services. With fibre-optic interconnection of cable systems, head ends in every small town are no longer required. As a result, more than half of the studios have closed.
- that control of content has been largely co-opted by cable company staff.

CRTC data posted during the public consultation also suggested that people don’t find these channels relevant, as few people watch them⁷.

While a licence class exists for community groups to operate over-the-air television channels, the CRTC’s expectation that these licence holders finance themselves with advertising runs counter to the non-commercial mandate of community television. It is also unrealistic (and unfair) when both public and private-sector local channels are being given specific financial support for local programming via the Local Programming Improvement Fund as well as the Small-Market Local Programming Fund (SMLPF), both of which

⁶ The Community Radio Fund of Canada provides funding for special projects and initiatives of community radio channels, not operational funding. Community radio channels are expected to survive primarily on the sale of advertising.

⁷ Low audience figures for cable “community channels” were released in the lead-up to the 2010 review of community TV policy. See <http://www.crtc.gc.ca/eng/archive/2009/2009-661-5.htm>.

recognize the failure of the advertising model to support local content in an environment of audience fragmentation. For example, the SMLPF was specifically set up to offset the impact of DTV (direct-to-home satellite) on local advertising revenues. The result is that while there are close to 200 community radio channels in Canada, there are only nine genuine community TV licence-holders.

The lack of frequency set-asides for community broadcasters has also limited their proliferation. While the public broadcaster has always had two frequencies reserved in every ‘market’ for both radio and television (one for English service and one for French), there has never been such a set-aside for the community sector. Frequencies are allotted on a first-come, first-served basis, with the result that in many big cities close to the US border, would-be community TV and radio organizations cannot get on the air over the air.

Meanwhile, Canada’s private media sector has remade itself. There are now four major private media/communications companies: Bell, Shaw, Rogers and Quebecor. Each controls a variety of media holdings (some combination of TV, radio, Internet, publishing) and distribution systems (some combination of cable, satellite, wireless) and are thereby considered horizontally and vertically integrated. These companies thrive by securing rights to well-promoted content—the vast majority from the US for the English-language market—and repurposing it for various media and distribution services.

Figure 2 captures this process of consolidation, which continues apace. Bell’s purchase of media giant Astral is currently before the CRTC.

Private media ownership in Canada In 2012

THE CABLE+ GUYS

BCE Inc. (CTV)
BCE

- TV - Conventional: CTV, A-Channel
- Specialty: 30 channels (eg. TSN, MuchMusic, Bravo, CP24, Comedy)
- Newspaper: 15% owner of Globe and Mail
- Satellite: Bell ExpressVu
- Radio: 34 stations
- Internet, phone and wireless service

In March 2012, BCE announced the purchase of Astral, Canada's biggest radio network. The CRTC has yet to approve the sale.

Astral Media Inc

- TV - Specialty: 10 channels
- Pay: 9 channels
- Radio: 83 stations across Canada

Shaw Communications
Shaw Family

- TV - Conventional: Global network
- Specialty: 20 channels (eg. HGTV, Showcase, Slice, History)
- Cable: biggest cable system in Western Canada
- Satellite: Shaw Direct
- Internet and phone service

Quebecor
Péladeau Family

- Newspapers: 38 dailies, inc. Sun chain and Ontario's Osprey chain; 3 free dailies (24 hours); 86 weeklies and 15 magazines
- TV - Conventional: TVA, Sun TV
- Specialty: 9 channels
- Cable: Videotron
- Internet and wireless service

Rogers Communications
Rogers Family

- TV - Conventional: citytv, OMNI TV
- Specialty: 6 channels
- Radio: 45 stations
- Magazines: dozens, inc. Macleans, Chateleine
- Cable
- Internet, phone and wireless service

The rest...

Woodbridge (Thomson Family)

- Globe and Mail
- Thomson Reuters (financial wire service and trade publishing)

Cogeco (Audet Family)

- Radio: 16 stations in Quebec
- Cable
- Internet and phone

Torstar (five families, descendants of founder J. Atkinson)

- Newspapers: 5 dailies & 95 community papers (Ont.)
- Internet: Toronto.com

Post Media

- Newspapers: 13 dailies (inc. Ottawa Citizen, National Post); 2 free dailies (Metro in Ottawa and Vancouver)
- Internet: canada.com, FPinfomart.ca

Corus (also Shaw Family)

- TV - 3 CBC affiliate stations
- 17 specialty & pay channels
- Radio: 38 stations

Transcontinental

- Newspapers: 12 dailies, 125 weeklies/community; 40 magazines

Gesca Ltd. (Desmarais Family)

- Newspapers: 7 French-language dailies (La Presse)

Brunswick News (Irving Family)

- Newspapers: all of the English-language daily newspapers in New Brunswick (3) and a handful of weeklies.

Black Press (D. Black Family)

- Newspapers: Red Deer Advocate (daily) and dozens of community papers in BC and Alberta.

NewCap Radio

- Radio: 88 stations, mostly small markets (inc. 12 bought in Central and Northern Ontario in July '08).

Maritime Broadcasting

- Radio: 25 stations in NS, NB and PEI

Note: This chart does not include public and public-service media, including CBC/Radio-Canada, TVO, TFO, Knowledge Network, Télé-Québec, APTN, and Canadian Press, or independents.

Sources: L'actualité, cbc.ca, Canadian Newspaper Association, CARTT

Created by the Canadian Media Guild
www.cmg.ca March 2012

Figure 2—Private Media Ownership Concentration

Ahead of the 2008-9 financial crisis, the private media mergers that built these empires resulted in hundreds of layoffs that affected local newsrooms across the country.⁸ Since the crisis, the CMG has calculated that 3,000 more jobs disappeared at newspapers, TV and radio stations. Local private TV stations in Brandon, Manitoba and Red Deer, Alberta were closed, while newspapers across the country lost hundreds of feet on the street.⁹ Blaming the migration of advertising dollars to new media platforms, “traditional” local news media – printed newspapers, TV and radio – remain lean operations.

In this policy and market environment, quality local news reporting will likely continue to decline unless the sectors with a specific public-service mandate—that is, the public and community sectors—can find innovative ways to fill the gap. Since they are the sectors given the least financial and regulatory support, creative solutions are needed.

Why Public-Community Partnerships?

While there have always been partnerships between CBC and private broadcasters through affiliation agreements, and cable ‘community channels’ represented a lopsided community-private partnership, there has been almost no public-community collaboration in Canada, despite the sectors’ similar public-service mandate. Both answer to Canadians as citizens first, and consumers second.

⁸ There were 300 layoffs at CHUM the day its sale to CTV was announced in 2006. See <http://playbackonline.ca/2006/07/24/layoffs-20060724/>. In 2007, there were 200 layoffs at Canwest-owned Global TV and additional cuts at Canwest-owned newspapers prior to their purchase by Alliance Atlantis. See: <http://www.cbc.ca/news/business/story/2007/11/11/canwest-cuts.html> .

⁹ See the CRTC Diversity of Voices proceeding (CRTC 2007-5), in which hundreds of Canadians voiced dissatisfaction with local media, and Broadcasting Public Notice 2008-100, announcing the creation of the Local Program Improvement Fund.

Partnerships between public and community media have the potential to:

- Improve the quality, quantity, and diversity of local media.
- Improve the quantity, quality and diversity of viewpoints (i.e. democratizing) national public media, by leveraging community content and creativity.
- Develop the next generation of artists and journalists from a wider pool, representing more regions of the country.
- Create media jobs in smaller communities and the regions.

International Precedents for Public-Community Media Collaboration

There are precedents for public and community broadcasting partnerships internationally.

In the Netherlands, there are only two categories of licences: public and commercial, available nationally, regionally, and locally. Holding a “local public broadcasting” licence is roughly equivalent to holding a community over-the-air TV or radio licence in Canada, and does not imply an affiliation with a national public broadcaster. Although a few local public TV and radio channels are open-access platforms (in larger cities such as Amsterdam), most are not. They are run by local not-for-profit boards designated by the municipality.

Volunteers assist employees with production and provide input into content out of financial necessity and to encourage pluralism, but final decisions about production and programming are made by the board¹⁰.

In the United Kingdom, known for its dominant and centralized public broadcaster, the BBC, local licences of any kind (private or community) have struggled to survive and

¹⁰ TimeScape, 2009.

have only been available since the mid-1990s. Nonetheless, the BBC operated a Community Programme Unit between 1972 and 2004 which enabled selected ideas from viewers around the nation to be recorded by BBC staff and aired nationally. The BBC has also discussed in several policy papers since the 1990s its intentions to establish community media units on the ground. The most successful was established in 2005 in Havant's Leigh Park, the site of a famous 1969 hunger strike. Although the BBC has since pulled its support from the project, the community has continued to produce videos from the facility.

These examples demonstrate that the line between community and public broadcasting is often blurred, and models for collaboration depend on local financial, cultural, and regulatory conditions.

Forms Collaboration Could Take in Canada

In Canada, public-community broadcasting partnerships could have a variety of forms.

Model A: Sharing of Transmission Infrastructure

The CMG and CACTUS began working together in the lead-up to the transition from analogue to digital over-the-air (OTA) television. In the absence of dedicated government funding for the digital upgrade¹¹, CBC/Radio-Canada's transition plan involved upgrading only 27 of more than 600 TV transmitters.¹² These 27 transmitters are located in the 20 cities where the CBC and/or Radio-Canada have a local TV station. In seven of the cities, both French and English signals are available free to air. The red squares in figure 3 show the locations of these transmitters.

¹¹ Unlike the Accelerated Coverage Program, adopted by the federal government in 1974 to provide dedicated funding to extend CBC/Radio-Canada's analogue TV and radio signals to un-served communities.

¹² See: http://www.cbc.radio-canada.ca/newsreleases/pdf/dtv_plan.pdf.

CBC/Radio-Canada and the transition to digital OTA

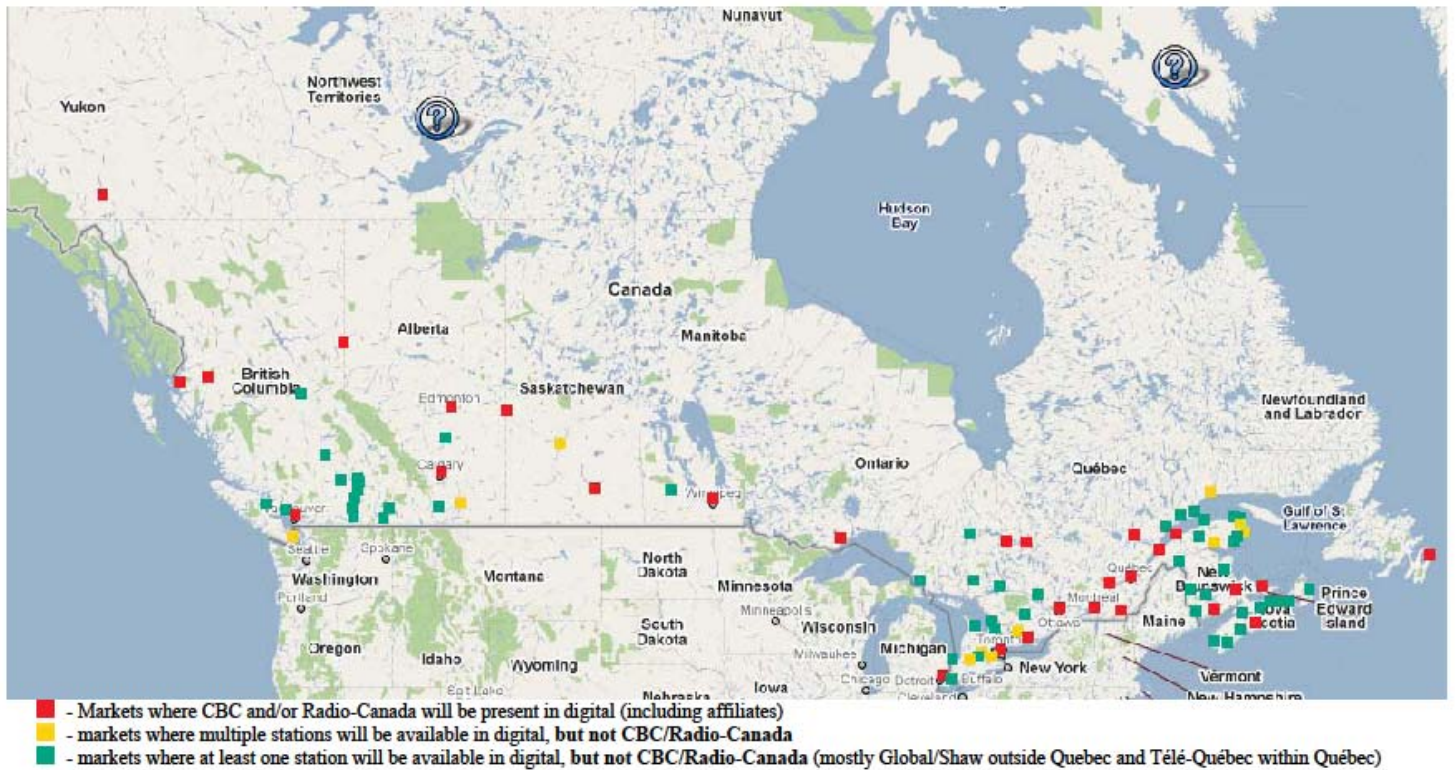


Figure 3—Location of CBC/Radio-Canada Digital Transmitters Post Transition

A comparison with figure 4 below (showing the location of the more than 1000 analog TV transmitters that existed in Canada prior to the digital transition) provides a sense of the quantity of over-the-air infrastructure that has been lost as a result of the transition. Six hundred and fifty-eight of these transmitters belonged to the CBC and are in the process of being decommissioned.

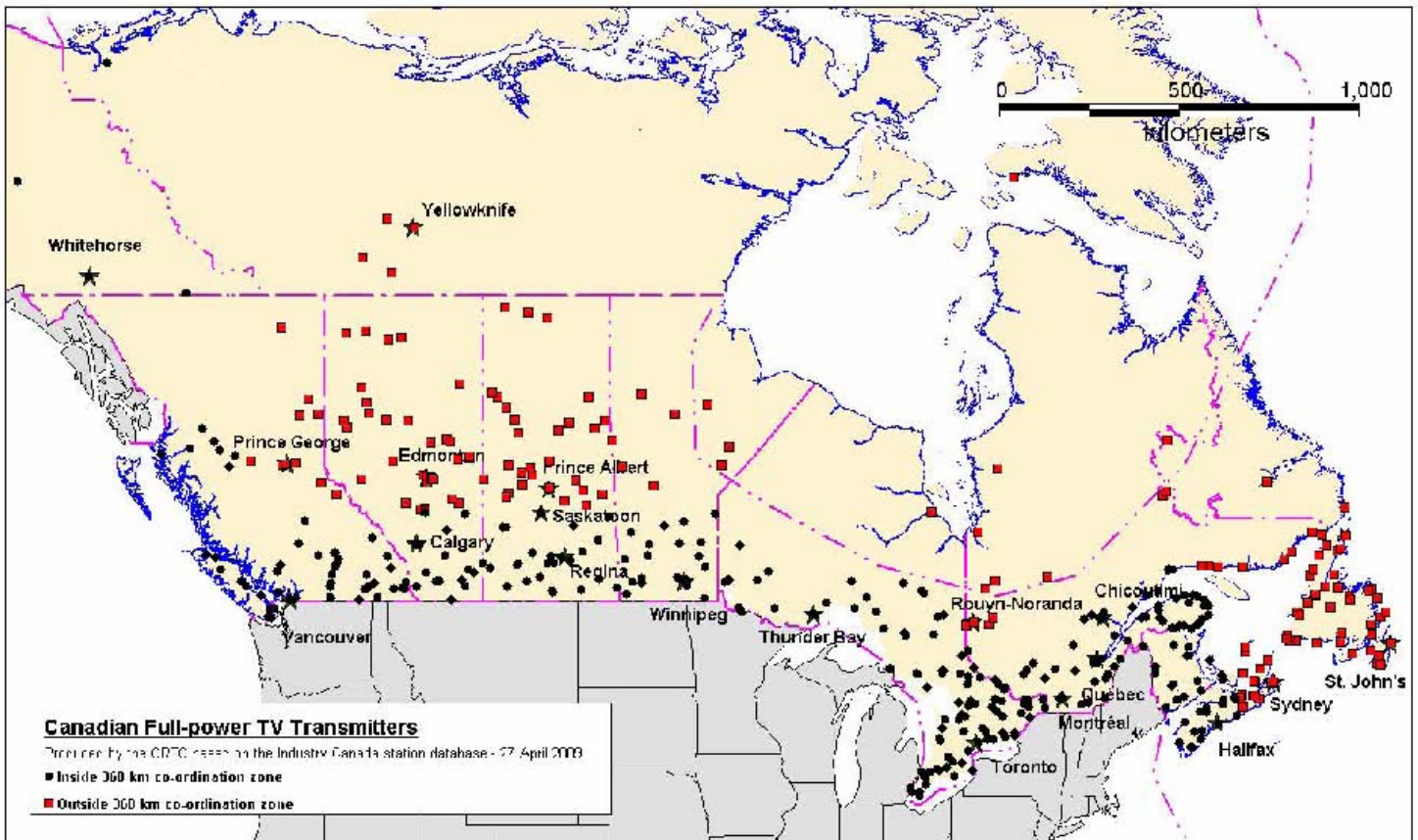


Figure 4—*Canadian Analog Over-the-Air TV Transmitters Prior to the Digital Transition (2011)*

Because of Canada’s vast geography and the difficulty of maintaining a vast and aging over-the-air public transmission infrastructure, as well as the difficulty of building out fibre-optic networks to replace this infrastructure, there is an increasing and widening “digital divide” between Canadians in urban areas (who have access to free-to-air television, cellular service, cable television, high-speed Internet, and satellite service) and many rural Canadians (who may soon have access only to satellite TV and high-speed Internet at exorbitant rates).

The CMG and CACTUS saw an opportunity for partnerships between communities and CBC/Radio-Canada to upgrade and share transmission equipment in smaller markets that were left off the public broadcaster’s transition plan. For example, rather than CBC transmitters and towers being decommissioned or pulled down, they might be maintained by communities to keep the analog transmission going, or to share the expense of the upgrade.

Once upgraded, a single digital transmitter could multiplex the CBC/Radio-Canada with one or more other TV or radio channels, including a community channel, or even with wireless Internet for communities that lack broadband. This is the most time-sensitive potential for collaboration. It's essential that a) the transmission infrastructure paid for by Canadians in the 1970s and b) this public spectrum remain in public hands to provide rural areas with access to new and updated communications services as they evolve.

Model B: Sharing of Production Facilities

In smaller communities that cannot afford both of or either a community TV and a CBC local bureau, facilities could be shared. There might be separate licences and broadcast channels, but a shared studio, equipment, or even personnel. Or, new affiliation models with community stations could be explored, in which there were a single broadcast channel. The licence might be the CBC's with blocks of time set aside for community-generated content, or the community's, with inserts of CBC network content.

Model C: Sharing of Content, Personnel and/or Production Methodologies

Even without affiliate status, partnerships between community channels and regional or national public broadcasters could be fruitful and dynamic. Community-generated content could gain greater exposure if supplied to regional or national public broadcasters, while bringing in revenue for the community broadcaster. Regional and national broadcasters could access content in communities where they have no journalistic presence.

Aside from cost advantages, quality of the content could improve for both parties. For the community, internships with the national broadcaster and the need to meet its journalistic standards would stimulate professionalism. For the national or regional broadcaster, access to a grassroots diversity of voices would enhance the depth of discussion on complex issues. This model of collaboration was recently proposed in the so-called “Payette report”, suggesting that Télé-Québec (the public broadcaster for the province of Quebec) acquire local and regional content from independent community producing groups in Quebec¹³.

The long-term development of community relationships and partnerships as a means to improve content for the national broadcaster is already considered a “best practice” by Joan Melanson, Executive Producer for CBC Radio in Toronto:

*We strategically reach out to the many diverse communities that make up our city in order to reflect, in an authentic way, their stories and issues. Part of that outreach takes the form of two to four public townhalls a year. The point is to explore a particular issue, often sensitive, through the lens of one community. One recent example was called Turning Point, about domestic violence in Toronto's South Asian communities. These communities are used to the mainstream media coming to them for negative reasons. We want to build trust, so we invite them, **before we ever turn on a microphone or a camera**, to have a discussion and we really listen. We get an agreement on an approach, and the word gets out that “the CBC is OK. You can talk to them.” Then people show up and say remarkable things that they wouldn't otherwise say. Over the long haul, this approach makes my job a lot more productive.”¹⁴*

While the CBC has a presence in Toronto, it can't have that presence in every community across the country. However, the quality of the relationship that Melanson describes between the CBC as a broadcaster and the Toronto community are routinely built

¹³ *L'information au Québec: UN INTERET PUBLIC*, by the Groupe de travail sur le journalisme et l'avenir de l'information au Québec, 2011. The “independent community producing groups in Quebec” referred to in this statement are not-for-profit associations created with the purpose of producing community television. Approximately 45 such associations exist in Quebec. They do not themselves hold licences from the CRTC and do not own distribution infrastructure. They supply content for playback on private cable-controlled “community channels”.

¹⁴ Interview with researchers.

between communities and their local community station. The viewing public is already in charge of ‘the approach’. The content developed through these partnerships could be made accessible to the national broadcaster.

Case Studies for Community-Public Media Collaboration

In late 2011, we began exploring how these ideas might be applied with community media organizations and representatives of CBC/Radio-Canada in several communities. We focused on communities in which concrete challenges for local media have either always existed or have been accentuated in recent years due to the technological, regulatory, and market trends aforementioned.

A) Shared Transmission

When the CBC’s local private affiliate in Kamloops “disaffiliated” in 2006 and stopped airing CBC programming, residents who wanted to watch CBC free to air organized a lobby called “Save Our CBC”.

When it purchased Canwest Media/Global Television in late 2010, Shaw Media committed to share Global transmission towers and its broadcast frequency with local broadcasters in smaller markets as part of its tangible public benefit package¹⁵. CACTUS saw an opportunity for the community to regain access to the CBC over the air by

¹⁵ When changes in ownership occur within the Canadian broadcasting sector (most recent transactions have created increased concentration in ownership), a percentage of the transaction value (usually 10%) must generate “tangible public benefits”. For the particular transaction discussed, see <http://www.crtc.gc.ca/eng/archive/2010/2010-782.htm>.

multiplexing it as a sub-channel of the Global signal. The CBC has indicated that it would provide its signal as long as no local substitutions are made to content.¹⁶

Kamloops is also home to Thompson Rivers University, which has both a campus/community radio channel CFBX, and an undergraduate journalism program focused on print. Staff are discussing the potential to extend learning opportunities to their students in television, and reaching the community at large on an additional platform. The community is therefore exploring the possibility of multiplexing both a community TV channel and the CBC as standard-definition sub-channels of Global's signal. For example, when Global upgrades its Kamloops repeater to digital (which it has committed to do by 2014), Global's signal might be broadcast on channel 6-1, while the CBC and a community channel from Thompson Rivers University might be on 6-2 and 6-3 respectively.

Public- and community-sector frequency sharing predates the introduction of digital technology. In Arichat, Nova Scotia, Telile Community TV has been replaying two local CBC radio programs produced in the town of Sydney. The audio plays behind the television channel's text community bulletin board service, enabling residents in parts of Nova Scotia to listen in outside the range of the CBC's Sydney transmitter.

The CRTC also gave the green light to the first instance of digital multiplexing in the summer of 2012. The Commission approved an application by the community TV broadcaster CFTV of Leamington Ontario to multiplex four television services from a single digital transmitter.

¹⁶ Private conversations between CACTUS and CBC.

While any community can consider installing its own towers and transmitters (three of CACTUS' members in British Columbia have been doing this since the 1980s)¹⁷, the impending loss of CBC service, the efficiency of digital transmission (one 'box' can be used to multiplex several services on a single frequency) and the need for transmission infrastructure for wireless broadband make rebroadcasting especially viable and attractive at the present time. Several communities that will soon lose free over-the-air CBC TV are especially well positioned to take advantage of these options, thanks to pre-existing community-run video co-operatives or post-secondary media training programs. Examples include Saskatoon, Saskatchewan (the home of PAVED arts), Lethbridge, Alberta (Lethbridge Community College's Broadcast Journalism program), London, Ontario (the journalism school at Western), and Victoria, British Columbia (ICTV – the Independent Community TV Co-operative).

In the summer of 2011, CACTUS' partnership with the CMG resulted in publication of a brochure for communities entitled *The Transition to Digital Over-the-Air Television: New Opportunities for Communities*¹⁸. It was made available both through CACTUS' web site and was linked from the Ministry of Canadian Heritage's official web site on the digital transition. On the official Canadian digital transition date of August 31, 2011, broadcasters in Canada's largest cities (cities having populations over 300,000 or provincial or territorial capitals) were required to switch off analog transmitters. Outside these major cities, analog transmissions were allowed to continue.

¹⁷ Valemount Entertainment Society in British Columbia, CHEK-TV in Dawson Creek and Chetwynd, British Columbia, and AshCreek TV Society, British Columbia.

¹⁸ Available at [http://cactus.independentmedia.ca/files/cactus/The Digital Transition - New Opportunities.pdf](http://cactus.independentmedia.ca/files/cactus/The%20Digital%20Transition%20-%20New%20Opportunities.pdf)

On May 18th the CBC and Radio-Canada submitted applications to the CRTC to shut down all remaining (623) analog TV broadcasting sites across Canada, which will leave rural and small-town Canadians without free access to the public broadcaster¹⁹. By June 18th 2012 (the deadline for the CRTC's public consultation regarding the CBC/Radio-Canada's application) CACTUS, the CMG, public-interest entities such as Friends of Canadian Broadcasting and the Public-Interest Advocacy Centre, as well as more than 2200 individual Canadians had filed submissions with the CRTC proposing that analog equipment and broadcasting towers be donated to communities to maintain and repurpose. Instead, CBC/Radio-Canada was simply allowed to shut down the transmitters on July 31, 2012, and has proceeded to offer them for sale through a commercial process. However, it is likely that the public broadcaster will not be able to sell all of its surplus infrastructure on a commercial basis and that there will still be opportunities to explore alternatives to simply decommissioning the sites in the next couple of years. For example, the Hay River Community Service Society in the Northwest Territories has already the CBC (English), Radio-Canada (French) and APTN analog transmitters formerly maintained by the CBC.

B and C) Shared Production Facilities and/or Content and Personnel

Any community that currently does not enjoy or cannot support either or both a community and a public radio, TV, or new media production facility (typically smaller

¹⁹ Canadians outside large urban centres where the CBC/Radio-Canada has upgraded transmitters to digital, will be able to continue to access programming of the national broadcaster only by subscribing to cable or satellite, or by downloading limited portions of the CBC's programming schedule over the Internet. Cable and satellite subscriptions range from \$500-\$700 Can per year. High-speed Internet connections that would be required to watch the public

communities) are potential candidates for a shared community-public production facility (model B), or a community production facility that shares content with a public broadcaster (model C). Both models offer the potential to reduce costs, cross-fertilize one another's content, and enable more local media diversity. We've chosen three communities in which residents have identified specific problems with the quality and quantity of local media, where we believe innovative public-community partnerships could help address the deficit.

Hamilton

Hamilton, Ontario (with a population of just over a half million people) is the largest city in Canada to have neither a local CBC radio nor television station. Hamiltonians have long been frustrated by the fact that their proximity to Toronto results in less quantity and diversity of local information specific to Hamilton. Since 2004, the non-profit Centre for Community Study in Hamilton has hosted the "Hamilton Media Project", which seeks ways to "to increase the amount of Hamilton coverage in the mainstream broadcast media."²⁰

The CBC launched an online/mobile news service for Hamilton in March 2012.

According to Sonja MacDonald of the Centre for Community Study,

"Since this isn't a 'traditional' model ... it has left many in the community without any real sense of what this means. Is it a cheap way to shut up those of us here that have been making a lot of noise about their lack of presence without too much effort or a truly new model of convergent media that connects different platforms with a real local flare?"²¹

broadcaster's content are often not available in rural areas that formerly depended on free-to-air analog transmission. Where these are available, users are charged for content downloaded.

²⁰ See http://communitystudy.ca/?page_id=323

²¹ Interview with researchers.

The potential for a robust community-public partnership in Hamilton is high both because of the obvious demand for more news and community coverage on mainstream media, as well as the presence of:

- The Factory, a film and video co-operative that already offers the community media training and studio production facilities via a partnership with Gallery 205
- Two campus radio channels, one at Mohawk College and the other at McMaster, as well as video production equipment and studio facilities at Mohawk College.

The possibility that the CBC might partner with existing community-based resources had been raised in the early planning stages for the CBC's new digital service. City administration had encouraged Mohawk College to consider moving its studio facilities downtown to create a central street presence, with the idea that the CBC might be able to share the facility and also the college's existing licenced radio frequency (an example of model B). That partnership did not materialize, however, in part because the parties could not agree about access to prime time within the combined broadcast²². Time will tell whether Hamiltonians seek out the CBC's new digital service as a viable alternative, or whether a full radio or TV broadcasting solution in partnership with existing community resources might be more viable.

²² Interviews by city and college officials with researchers.

Kingston ON

The Kingston region has a population of nearly 200,000, a diverse local economy and higher-learning institutions; however it is not well served by professional local media. The city has a local private TV station—a Corus affiliate of CBC with a local newscast, a cable TV station owned by Cogeco, three private radio stations, campus community radio and TV stations and a professional online news site. It also has a daily newspaper, the *Whig Standard*, now owned by Quebecor. Nonetheless, there has been a decline in the number of professional journalists working in Kingston that has led to a perceived decline in the quality of local information.

For example, at its peak in the late 1980s, 55 people worked at Whig newsroom; today there are 17.²³ A campaign was launched by Communications Workers of America-Canada in 2011 to “Make the Whig Great,” which highlights the concern about centralized news-gathering:

“These days, the Whig is sadly lacking in the sort of useful Kingston-centric information it used to provide. Its pages are crowded with generic wire copy of little relevance to Kingstonians. Most days there are only three or four letters to the editor. Investigative reporting has all but vanished. Overall, the Kingston that the Whig portrays bears little resemblance to the vibrant, creative and diverse community that exists in reality.”²⁴

As one local activist put it, “*if you want to become an informed local citizen, you have to work harder than you used to.*”²⁵ According to the activist, citizen journalism has filled some of the void, but

²³ Personal communication between CMG and the Director of CWA Canada.

²⁴ [www.http://www.greatwhig.ca/content/campaign](http://www.greatwhig.ca/content/campaign)

²⁵ Interview with the CMG.

it is largely issue-based and contributes to a sense of fragmentation of information and involvement.

Meanwhile, the Queens University campus radio channel CFRC has been broadcasting for over 90 years and is one of the oldest broadcasting organizations in the world. Queens TV is a student-run station that webcasts and distributes a weekly program on Cogeco's cable 'community channel'²⁶. CFRC functioned as part of a tri-partite partnership with the CRBC (now the CBC) and the Whig-Standard from 1934-38, so innovative community-public-(private) partnerships have a long history in this city²⁷. Our contacts at both university channels—while aware of the crisis at the Whig—didn't immediately see how a decrease in quality in the local print press might present opportunities for them as community broadcasters.

A small investment aimed at promoting a public-community media partnership in Kingston could result in a local news renaissance. If CBC/Radio-Canada were to establish even a small digital station of the type launched in Hamilton for online and mobile content, professional journalists could provide training and mentorship to local citizen journalists to improve the quality of their contributions and could provide an online clearinghouse for community-based media content.

For their part, Queens TV acknowledged that while once students had gained valuable hands-on experience at the Cogeco cable 'community channel', the environment in

²⁶ The term 'community channel' is enclosed in single quotation marks if the station in question is in reality owned and controlled by a private entity. This is the category of 'community channel' that the CRTC views as part of the Canada's community sector, but which activists do not because of their control by private for-profit broadcasting distribution undertakings. These channels are mandated to air a certain percentage of community-produced content during the broadcasting week, but whether the majority of such content is really generated by the community or by cable company staff has been contentious for more than a decade.

recent years for public involvement at the cable channel has waned, as has student viewership of cable TV (citing high costs for a cable subscription). Queens TV has largely redirected its efforts to online platforms. An online CBC partnership could therefore both leverage the university's existing studio resources, energy and creativity, while offering students experience and contact with the public broadcaster.

Vancouver

The Vancouver urban region has two daily newspapers (both owned by Post Media), several local private TV stations, a Shaw-controlled cable 'community TV' station, as well as public radio and TV stations in both official languages (the CBC and the Knowledge Network, British Columbia's provincial educational broadcaster). It also has a vibrant though financially fragile community media scene, including Vancouver Co-op Radio, several independent producing groups that contribute content to Shaw's 'community channel', and W2 in the downtown eastside.

W2 is a multi-purpose production facility that does not itself hold a broadcast licence. It was purposefully situated in the poorest part of the city, home to high proportion of homeless people, and rife with social challenges including drug abuse and gang violence. W2 broadcasts a radio program on the Co-op Radio community channel, a TV program on the Shaw 'community channel' and live-streams on the internet on W2 TV. It is an example of the kind of multi-platform community production hub being promoted by CACTUS as the way forward for Canada's community media sector in the 21st century.

We chose Vancouver as a case study, because although on the surface there appears to be a healthy range of media in all three sectors (public, private, and community), practitioners in both the public and community sectors acknowledge that there would be more value for the public if more collaboration took place of the kind described in Model C (sharing of content, personnel, or production methodologies). For example, the severity of the social and economic challenges faced by residents of Vancouver’s lower east side is well known, yet the media structure is challenged to cover them. In a city as socially, economically, and culturally diverse as Vancouver, the public broadcaster can’t be all things to all people, despite its recent opening of a new state-of-the-art production facility.

Community media in Canada, as in many other countries, tends to play a different role in small towns as in large cities. In the small town, community media may be the only media, and tends to be therefore “mainstream”. There might not be as much diversity to begin with, and community media covers the life of the town, whatever that is. In the busy media ecosystems of large cities, on the other hand, community media tends to become the voice of niche groups—those inevitably not served by public- and private-sector media. Serving residents of Vancouver’s lower east side is therefore the natural preserve of community media.

In Vancouver’s Lower Mainland (i.e. the entire metropolitan area), there used to be more than a dozen cable community TV neighbourhood offices. However, the current cable incumbent—Shaw—has shut all but one studio in Surrey and produces everything else from its corporate tower downtown. The latter facility is difficult to access by citizens in

²⁷ See the CFRC’s web site at <http://cfrc.ca/blog/about/history>

general, and virtually impossible for a resident of the lower east side. The fully independent and community-based W2 is trying to step into the gap, but survives from month to month on donations and fluctuating sources of outside assistance.

This environment is ripe for the kind of collaboration that Joan Melanson’s “best practice” suggests: the public broadcaster could leverage access to communities in which it is not well represented by collaborating with community-based facilities such as W2. However, a concerted effort would need to be made by practitioners on both sides that are convinced of and have experience of the benefits of such collaboration. As in Hamilton, where city officials encouraged the public broadcaster to increase its footprint by accessing existing community resources, so Vancouver required the CBC to incorporate “community” facilities into its recent production facility redesign. One facility, called Studio 700, is used both by the CBC to host community outreach events and by outside organizations. The second, which was meant to be made available to community groups at low to no cost, sits idle, with the city paying the rent. No community group could be found as a tenant due to high costs²⁸.

A modest investment in a public-community media partnership project in Vancouver could provide support to facilities such as W2 that offer training and mentorship to citizen media producers. An agreement on content-sharing could improve the breadth and depth in coverage of communities like the downtown east side by the CBC.

²⁸ Interviews with CBC personnel and community producers.

Conclusions

From our discussions with citizens, journalists, and thinkers connected with these case studies, it is clear that some infrastructure is needed to make community-public partnerships possible. Community and public media are two underfunded sectors that can barely keep up with what they are doing today.

Furthermore, the people working in these sectors would need to embrace the notion of partnering to improve their respective local programming and presence. Several projects with good intentions and potential benefits to both parties (CBC disposition of its analog assets to communities and facility- and/or frequency-sharing in Hamilton and Vancouver) have not realized their full potential because of a lack of engagement on the part of one or both of the public or the community broadcaster in each instance.

Canadians urgently need to ensure that public sources of funding for public and independent community media are stabilized and adequate, and that public policy supports strong and stable media institutions. In addition, we suggest that a fund could be established and available to both the CBC and to local community media organization(s) to create new and/or enhanced local service in underserved communities (eg. Hamilton, Kingston, Kamloops).

One way such a program could work is that ideas for collaboration would originate with non-profit community groups that already produce community media, or wish to. They would approach their nearest CBC location to pitch an idea for collaboration and to refine the idea. Together, they would go to the fund for support for the additional personnel and technical infrastructure for both organizations to make the project happen. One criterion

for funding could be the project's long-term sustainability. Either the project would demonstrate proof of concept to the CBC (that collaboration results in a greater quantity and diversity of content) and become part of its normal operation procedures in that region, and/or it would demonstrate proof of concept at the community level, and benefit from long-term support from a municipality, subscriptions, collaboration with existing community facilities (such as a library), or other revenue generation such as advertising.

Finally, a national body such as CACTUS working in partnership with the CMG or another body representing the public broadcaster would be needed to promote and develop awareness among practitioners about the benefits of public-community partnerships.